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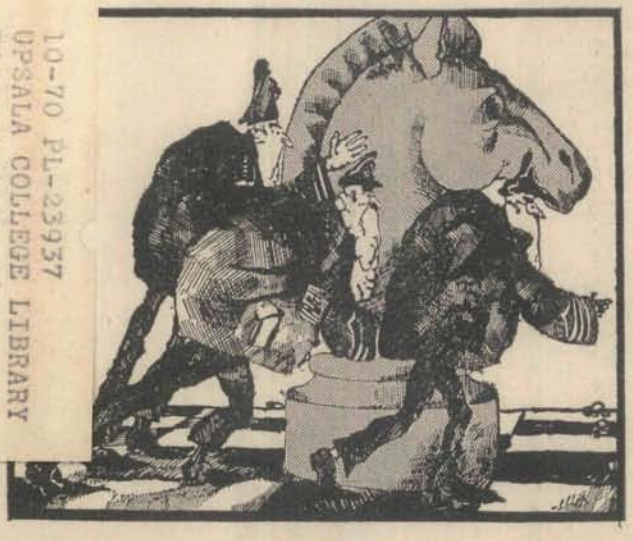

Nixon's 'Southern' Strategy

THE AUTHORITARIAN PRESCRIPTION

WILLIAM D. PHELAN, Jr.

Color and Mayhem UPTIGHT IN THE ARMED FORCES

WILLIAM ENDICOTT & STANLEY WILLIFORD

'The Rise and Fall of The Man of Letters'

DONALD FANGER

Robert G. Sherrill on Huey Long

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LETTERS

not his war

Concord, Calif.

DEAR SIRS: President Nixon has stated that he does not intend to be "the first American President to lose a war," but . . . the war in Vietnam is not his to win or lose. This war was lost by his three White House predecessors as they involved this nation in a conflict which was doomed from the beginning. It seems to have taken the nation these many years to finally realize this fact.

Meldon C. Belknap

when is an invitation?

Santa Barbara, Calif.

DEAR SIRS: In his "The Center at Santa Barbara: Anguish on a Hilltop" [*The Nation*, Oct. 6], Robert H. Sollen refers to the July meeting of a group of leading scholars brought to Santa Barbara to consult with the Center for the Study of Democratic Institutions on its current reorganization. He states:

"Some of the outsiders were invited to join the Center as senior fellows. It turned out that few if any were interested in joining as full-fledged fellows, but some have become associates. . . ."

This statement is wholly false. None of those at the July meeting was asked to become a senior fellow, nor has such appointment yet been offered to anyone else. The Center has asked fifteen distinguished scholars to become associates; only one has declined, because of conflicting commitments, and he is associated with one of the Center's ongoing projects. . . .

Mr. Sollen states that I have complained in the past about his reporting on Center matters in the *Santa Barbara News-Press*. That statement is wholly accurate.

Harry S. Ashmore
Executive Vice-President
Center for the Study of Democratic Institutions

Santa Barbara, Calif.

DEAR SIRS: I was told by several persons associated with the Center whose word I have reason to trust that some of the scholars who met at the Center in July were asked to become fellows.

Moreover, statements issued by the Center left the distinct impression that the July group was expected to provide some new senior fellows. Ashmore himself strengthened this impression in a letter to me (with copies to my superiors) after I had written a couple of articles for the *Santa Barbara News-Press* regarding the Center reorganization.

"In your second day story," Ashmore wrote last June 23, "you use the curious phrase 'it was reported unofficially that they will give way to a new group of fellows to be brought in before the end of the year.' On the contrary, it was stated officially by Hutchins [Center president] that this was the case—and in that regard the announcement also contained some hard news of local interest you have not yet reported: 'In July eleven distinguished scholars from the United States and abroad will meet at the Center to consider further revision and expansion of the reconstituted study program. Additional appointments are expected in the fall.'"

The point I tried to make is that the Center has gone soft from lack of meaningful criticism and analysis by its friends (and enemies) and has in fact lost the ability (temporarily, let us hope) to cope calmly with such criticism when it does appear.

Robert H. Sollen

EDITORIALS

The Moratorium—Success Story

It may be a bit early to issue any hard-and-fast conclusions as to what the October moratorium accomplished, but it surely is not too early to say that it was a memorable achievement, and one of which its promoters may be proud. If it was government in the streets, as the President believes or pretends to believe, all one can say is that its moral content was much higher than that of government in the White House during this or the preceding administration.

Demonstrations on a national scale tend either to be too tightly organized, and thus unable to adapt to local conditions, or to fall into total anarchy. The moratorium was initiated and encouraged from its headquarters, which issued a few simple guidelines: keep it cool, use your imagination, do what you judge to be appropriate in your community. This technique worked most impressively. As for law-and-order, Mary McGrory was right when she called it "a miracle of civility." It was so parliamentary that even the opponents, often an inflamed lot, were for the most part conjured into politeness.

A demonstration of fully national scope—other than those of traditional holidays and observations—is a rarity. This one came closer to being nation wide than has anything of its kind in the past. The big crowds were where one would expect—in New York, Boston and other large cities—but people turned out in smaller communities too. New Haven, with a population of 152,000, poured 60,000 inhabitants onto the Green by police count. Even for a university town, a turnout of one-third of the population for an anti-war demonstration is phenomenal.

The October demonstration was also of broader composition than any of its kind in the past. A significant section of both labor and business was involved. In his excellent newsletter, *Business & Society*, Milton Moskowitz comments: "There's no question that the October 15 Vietnam Moratorium action has unleashed the greatest business support yet for the peace movement. At the Harvard Business School, prime training ground for management, one-third of the students backed the drive. A demonstration was organized for the Wall Street area. At least one major corporation told its community relations people around the country to invite students in to present their position. And the Business Executives Move for Vietnam Peace stepped up its activities."

In *The New York Times* (October 22) Anthony Lewis notes with wonderment that the speakers on October 15 included not only professors and liberal politicians but such a man as Malcolm Baldridge, Jr., president of the Scoville Manufacturing Co., who in 1968 headed the Connecticut Nixon-Agnew Committee. The Alliance for Labor Action (United Auto Workers and the Teamsters), representing some 4 million members, endorsed the moratorium unequivocally: "We take our stand with those who are for getting out quickly and completely."

Success on this scale can be explained only on the assumption that the movement was already there, waiting for able management. Withal, an important com-

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ponent must not be overlooked. Edward B. Fiske observed in *The New York Times* (October 19) that the moratorium was viewed by a number of theologians and religious specialists as "not only a political protest but an event with profound religious overtones built around a fundamental new vision of America. . . ." This approach recalls the proposition, described in *Daedalus* in 1964 by the sociologist Robert N. Bellah, that an "elaborate and well institutionalized" civil religion, with its own doctrines, rituals and scriptures, has existed for some time alongside the sectarian faiths. This civil religion developed during the American Revolution, in the concept of a new promised land. Not the least service of the October moratorium was the testimony that this civil religion still exists, ready to revive when the nation's leaders deviate grossly from the path of sanity and rectitude.

Second Moratorium–Questions

When President Nixon told the country that he would not be influenced "whatever" by the October moratorium, that he would not allow policy to be made "in the streets," he gave a boost to the movement that its most ardent protagonists could hardly have hoped for. The massive thrust came from the fact that the President was so palpably wrong in his reading of the constitutional liberties involved. In a letter to *The New York Times*, Prof. Milton R. Konvitz, an expert in the field, pointed out that the right of petition for the redress of grievances is not limited to the presentation of a document, but that the Supreme Court has decided (as common sense alone would seem to dictate) that a march, or parade, or a mass meeting, or a sit-in—provided that it is conducted in a peaceful and orderly manner and in a place where the participants have a right to be—is a legitimate exercise of the right of petition.

It may be that Spiro Agnew's abusive speech before a Republican audience in New Orleans on October 19 will give the same impetus to the November moratorium. The reference to the October 15 demonstrators and their supporters as "an effete corps of impudent snobs who characterize themselves as intellectuals," when they included seventy-nine university presidents and thousands of eminent professors, politicians and businessmen, is so wildly misguided that it can only boomerang on the speaker. Since Mr. Nixon cannot publicly disavow Mr. Agnew (if, indeed, he wishes to do so), the managers of the November moratorium have been handed some ready-made material for their cause.

But they have problems; in fact, everyone in this highly fluid situation faces difficulties and dangers. The success of the October demonstration was due largely to its orderly and earnest character. Agnew's speech can become a factor in the radicalization of the movement, to its probable disadvantage. If it has that effect, it will not be the only force pushing in that direction. There is not one peace movement but several. The Vietnam Moratorium Committee, which is planning the November 13-14 nation wide movement, is dominated by young people. The New Mobilization Committee to End the War in Vietnam, which plans peace marches in Washington on

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the same days and a mass rally on November 15, is described as "a loose coalition of individual pacifists and anti-war groups," with for the most part middle-aged sponsors. The leaders of both groups have pledged unity, but the fact that there are separate organizations implies differences in orientation, and these exist also within the more youthful organization. Impatient elements may take over the latter's demonstrations in some places, and the very fact that another month will have passed makes maintenance of the peaceful character of the movement more difficult. If the President, in his November 3 address, continues to equivocate, a hostile countermove is the more likely.

The October demonstrations were supported by influential members of Congress. Several of these key supporters now ask that the President be given more time to move toward peace, but it is hard to see how he can do so fast enough for those who demand peace "now." He is beholden to the right wing of his party. He identifies the Thieu-Ky regime with the people of Vietnam. He has been quoted as declaring that he does not intend to be the first President of the United States to lose a war. He wants peace, but peace with "honor," by which is meant a peace which looks as much as possible like a military victory. These and other factors make it likely that the November moratorium will have ample grounds for exerting further pressure, but the situation may weaken the ability of the organizers to keep the movement on its initial course.

The motivation for the softer line adopted by Messrs. Fulbright, Mansfield and Aiken in advance of the November 3 address may be their recognition that "peace now," while a legitimate slogan for citizens seeking to animate their government to significant new procedures, cannot literally be accomplished. For one thing, there is no reason to believe that if Mr. Nixon proclaims a cease-fire on the part of the American forces the fighting will end. *The Nation* pointed out more than a year ago that if General Gavin's prescription for withdrawal of American forces to coastal enclaves were followed, the Vietcong would in all probability attack the enclaves. It is hard to see how peace can come while American forces in any significant number remain in South Vietnam, and yet they cannot be removed overnight. And peace will certainly not come while America continues to support the Thieu-Ky cabal of generals and grafters. Senator Goodell has been saying this in no uncertain terms, and it must be clear to the other promoters of peace in the Senate. It may be that they fear complications elsewhere than in Vietnam and Laos. Korea may be as much of a tinderbox as Southeast Asia (editorial, *The Nation,* October 6), and if an explosion should occur there, South Vietnam might, in retrospect, look like a minor problem.

Nevertheless, if the moderate spokesmen for the October moratorium withdraw somewhat from its sequel, they may take elements of the moderate rank and file with them, and negatively radicalize the remainder.

There are, thus, reasons for concern. But since the October moratorium proved so successful, the wise course would seem to be to play it by ear in November, adapting tactics and strategy to retain public confidence in the sanity and moderation of the leaders and the rank and file. The invitation to President Nixon to participate in the November moratorium is an astute idea. He is scarcely likely to accept, but this civility, if not met in kind, can only redound to the advantage of the movement.

Changing Times

Two incidents in California confirm what we had to say recently about changes in the old order of thought and feeling (editorial, *The Nation,* September 29, p. 300). As a result of a deliberate FBI leak to the press, Angela Davis, a black militant named as assistant professor of philosophy at UCLA, was publicly identified as a member of the Communist Party. Governor Reagan and his regents gasped, huddled and demanded that she be fired forthwith. But to their surprise the UCLA faculty voted 551 to 4 to rescind its 1950 ban on the employment of Communists and, moments later, voted 539 to 12 to condemn the regents for ordering the dismissal. Let it be noted that it was not at Berkeley, "the mother of protests," that this striking manifestation of insubordination took place but at the Los Angeles campus, which is better dressed and more polite. What Reagan and the regents forgot, of course, is that a new generation of professors and students has emerged since the famous fight of 1950 on the loyalty oath. It is now much harder to manipulate "anti-Communist" reflexes.

At about the same time, a judge of the San Jose Superior Court, presiding in a juvenile case, indulged in some outrageously intemperate and stupid generalizations about "the Mexican people." A member of "an old San Jose family," the judge had no doubt absorbed anti-Mexican feeling from childhood. Other judges have made equally vicious remarks about Mexicans at fairly regular intervals since 1850, when California was admitted to the union. (For example, the decision of the District Court of Appeals, October 4, 1944, in *People* vs. *Leyvas, et al*—the so-called Sleepy Lagoon case—deals with the subject.) But, again, the times have changed: today about a fourth of San Jose's population of 450,000 is Mexican-American. There, as elsewhere in California, the Chicano rebellion is being felt at all levels and the ferment is spreading. So it is not surprising that the judge's courtroom should have been picketed for three days, or that he finally had to be transferred to another court. Resolutions denounced his conduct, the Attorney General urged the Judicial Qualifications Commission to investigate, removal proceedings were projected, and newspapers which not many years ago would have approved of his remarks, or at least failed to note them, berated him editorially. It is not necessary, therefore, to suggest that other California judges should keep their prejudice under their robes; one may be quite sure that they are doing just that.

All this is not to imply that California has won the struggle against test oaths (the Davis case has not been finally resolved) or that its courtrooms will henceforth be wholly free of racial bias. But some at least of the old phobias and stereotypes are being challenged by strong and growing minorities imbued with a new outlook and determination. It is not always true that the more things change the more they are the same.

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Never Say Never

Outside his immediate family, there are probably not many who find Mr. Nixon an endearing man, yet there is something charming about the way he takes adamant stands while placing one foot on a roller skate.

Having said that under no circumstances would he be influenced by popular protests against the war in Vietnam, he escorted General Hershey upstairs even before the moratorium had taken place. Having ordered Operation Intercept at the Mexican border to deprive students and other youths of their marijuana and to please the "support your local police" crowd, he has now sent representatives to a House Judiciary subcommittee meeting to say that the Administration endorses the proposal of a commission to study the weed. This is strong support for Representative Koch's current bill to that effect. The President has also come out for a re-examination, and possible reduction, of the fierce penalties now imposed on users of those drugs most in favor among students.

Mr. Nixon, we suspect, suffers from a common American weakness: he yearns to be loved. It is not invariably an edifying trait in public figures, but in his case it may save us all from the consequences of his desire to be boss.

Old Vice

A resurgence of nationalism means a reinstatement, at least in part, of old traditions. For example, Czechoslovakia asserting itself may be a spectacle quite different from that of Poland doing the same thing. The accusation lodged against the Jews in Poland by the Gomulka regime is that they are Zionist—i.e., acknowledging a loyalty to Israel and thus by implication guilty of disloyalty to Communist Poland. But according to E. J. Hobsbawm, himself a Marxist, writing in the British *New Society*, there is no substance to that charge. Today, he says, the Jews are being "systematically expelled" (a *New York Times* report states that they are leaving at the rate of about 1,000 a month; some 20,000 remain), and these include "people unaware of any Jewish links at all, but classified as such by the authorities through some Jewish ancestor." Most of them go to Israel, which welcomes them for their skills; and the exodus thus ironically strengthens the very Zionism that Gomulka's regime purports to be combating.

As Hobsbawm takes pains to emphasize, it is not because Poland is Communist that the Jews are being persecuted; it is because Poland has recaptured its pre-Communist past and in so doing reanimated the racist nationalism that darkened so much of its history. Meanwhile, Michael Connock, also writing in *New Society*, deplores the decline of the Polish cinema, after its sensational achievements of recent years. He points out that Alexander Ford, who reconstructed the Polish film industry after the expulsion of the Germans, is a Jew, and that he is one of the many who have been deprived of their jobs by the present regime. Anti-Semitism is an even-handed sort of vice; it invariably hurts the Jew but it can be relied upon also to hurt his persecutor.

The Draft vs. Social Justice

The draft is not only a means of forcing young men to fight in a war which subverts every American idea; it is also an instrument to protect the *status quo* against orderly social change. That is the contention of the Southern Conference Educational Fund, based in Kentucky. The mountain regions of Kentucky are among the poorest and most despoiled in the country, but anyone who tries to curb the ravages of strip mining or alleviate Appalachian poverty is likely to be labeled a Communist. And if he happens to be of military age and is opposed to the war in Vietnam, he is likely to be denied exemption as a conscientious objector and eventually jailed as a draft resister.

This is happening to two SCEF organizers, Walter Collins of New Orleans and Joseph Mulloy of Kentucky. Collins, who is black, has been organizing the poor and helping black people to register to vote, most recently in Mississippi. Sentenced to five years in prison and a $2,000 fine for draft refusal, he is out on appeal but restricted to the eastern half of Louisiana, so that he cannot continue his work in Mississippi. Mulloy, who is white, is well known for his challenges to the coal operators in Kentucky (see "Kentucky's Coal Beds of Sedition" by Paul Good, *The Nation*, September 4, 1967). He was arrested in 1967 under a state sedition law, charged with plotting the overthrow of the government of Pike County, which is in effect governed by the coal interests. The law was declared unconstitutional in federal court and the charges were dropped, but the following day Mulloy was ordered to report for induction. He too has been convicted of draft refusal and sentenced to five years and a $10,000 fine.

When a prominent draft objector like Dr. Spock is cleared (though on narrow legal grounds), people are likely to assume that the draft is being successfully resisted, but cases like those of Mulloy, Collins and many others show that the impression is superficial. A pamphlet titled "An Enemy of the People—How the Draft Is Used To Stop Movements for Social Change" issued by SCEF (3210 West Broadway, Louisville, Ky. 40211) tells an unpleasant story which should be more widely circulated.

Reporter or Informer?

According to a Chicago *Daily News* report under the by-line of Raymond Coffey (*New York Post*, October 18), the FBI is importing the process of *Gleichschaltung* into the land of the free. Under this term, which may be loosely translated as "coordination," Dr. Goebbels, Hitler's propaganda minister, organized the press, radio, cinema and theatre into "chambers" to which only licensed practitioners could belong. Jews and all persons suspected of the slightest taint of disloyalty to Nazism were excluded. The members of the chambers were expected to spy on one another and to report any lack of enthusiasm for the godhead of the *Fuehrer*.

The FBI version of this type of operation—which one hopes will not emerge from its larval stage—was dis-

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A JURY OF HIS CLUB MATES

PATRICK OWENS
Mr. Owens is chief editorial writer for Newsday, *the Long Island newspaper.*

If, as is still possible, Judge Clement Haynsworth wins Senate confirmation and ascends to the Supreme Court, he will owe his good fortune to twelve men who have tendered him the most niggardly of blessings while carefully avoiding any comment on his ethics or judicial conduct. The twelve make up the Committee on the Federal Judiciary of the American Bar Association. They are powerful in the Haynsworth affair because they are recognized as the quasi-official assessors of the professional and ethical qualifications of prospective judges. They are now at the center of a growing storm among the nation's lawyers.

Haynsworth violated the ABA's own code of judicial ethics when he sat on cases involving corporations in which he owned stock. In one case, he went out (or sent his broker) to buy stock while the corporation was a litigant before him. He misled the Senate Judiciary Committee about his business activities in his early appearances before that group. Ranking officials of the ABA are distressed by this performance, and by the ABA's acquiescence in it through the Committee on the Federal Judiciary. But those prominent lawyers observe all the rules of Establishment clubmanship, especially when a conservative judicial nominee is at issue. On October 17, the ABA's board of governors decided that it lacked the precedent and the power to override the Judiciary Committee and seek an explicit opinion on Haynsworth's conduct from the Ethics Committee. This decision reportedly pained many of the people who participated in it, including the ABA's "modernizing" president, Bernard G. Segal of Philadelphia, and his immediate predecessor, William T. Gossett of Detroit. But the claims of due process, as one indignant governor phrased it, carried the day.

Ironically, the Federal Judiciary Committee that has stuck to Haynsworth is itself a product of efforts by Gossett and Segal to bring their association up to date. Most of its members are recent replacements for aging establishmentarians. ("You used to have to have prostate trouble to get on the committee," one of its ABA critics explained.) But when the committee held a special meeting in New York on October 11 to review disclosures about Haynsworth's conduct, the corporate ethic outvoted the judicial ethic. In a split decision, the committee reaffirmed its September 5 endorsement in a terse one-paragraph statement that avoided any discussion of the judge's actions or the judicial code's provisions.

Committee members knew that a reversal of their earlier endorsement would have killed Haynsworth's chances; the ABA's support is the judge's only shield against the chapter and verse citation of his misconduct that has been offered by Sen. Birch Bayh of Indiana. Attorneys outside the ABA's official family have been actively protesting against the nomination. The 3,500-member New York Trial Lawyers Association asked President Nixon to withdraw the Haynsworth endorsement or the Senate to reject it; the thirty-three directors who attended the meeting voted unanimously for the request. Stanley P. Danzig, the Association president, was withering in his judgment of Haynsworth. "There is no need for a demonstration of a great financial stake in a corporation that is before the court to suggest the possibility of conflict of interest," Danzig said. "Even boys know this. When they pick an umpire for a pick-up ball game, they don't pick one with a side bet on the outcome." Like many other attorneys who make their living trying cases, Danzig is less disturbed by the existence of Haynsworth's conflicts of interest than he is by the judge's failure to disclose them to lawyers in the case involved. "A lawyer has a right to ask a prospective juror about his financial interest in a case," he said. "He has no less right to know that about a judge, but he can't ask. He has to rely on a judge's candor in making known such facts."

The Beverly Hills Barristers voted 28 to 3 to ask Nixon to withdraw the nomination. The American Trial Lawyers Association, with 23,000 members who make their living in court, voiced its own displeasure more sedately. ATLA initiated a poll of 700 of its leaders and 500 members chosen at random across the country. Leon Wolfstone of Seattle, ATLA's president, was circumspect in his discussion of the action, saying it was not meant to reflect on any other group. But it was clear that lawyers outside the ABA's leadership were in rebellion against its questionable procedures for screening nominees and prospective nominees for the federal courts.

Labor and civil liberties lawyers have been complaining about these procedures for more than a decade. Two political scientists have emerged from their more scholarly studies of the process to issue harsh opinions on the matter. Joel B. Grossman, assistant professor at the University of Wisconsin and the author of *Lawyers and Judges: The ABA and the Politics of Judicial Selection,* complains that the committee's orientation is overwhelmingly "conservative-corporate." Harold Chase, professor at the University of Minnesota, says: "These men [the committee] tend to be conservative in their approaches and attitudes. There is a clear Republican bias. Labor lawyers and liberals get a different response than do conservative corporation lawyers. But it isn't a matter of obvious prejudice. These are profoundly conservative men, for the most part, who see things differently from moderates or liberals."

The two men agree that the influence of the ABA committee has probably been far more baneful at district and circuit court levels than in filling Supreme Court vacancies. They point to a handful of disputed Kennedy and Johnson judicial appointments in which the ABA played a key role. In the most notorious of these, David Rabinovitz, a labor lawyer who had represented the United Auto Work-

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ers in the long and bitter Kohler strike, was eventually denied a district court seat after a bitter public wrangle in which the Wisconsin Bar Association moved in behind ABA. By contrast, Haynsworth was a strategist in the long and successful struggle of the Southern textile industry to ban unions, and he carried his bought-and-paid-for lawyer's prejudices against labor to the bench when he became a federal district, then circuit court judge. But he sailed through the ABA screening process all three times.

The ABA committee commonly works in secret, offering the President a preliminary assessment of a prospective lower-court nominee's qualifications. "We don't know," says Grossman, "how many get tossed out at this point." The Haynsworth case is exposing the ABA committee to an unusual amount of public scrutiny, partly because President Nixon, desiring to avoid leaks, does not solicit advance ABA checks on prospective Supreme Court nominees. The committee is working in the Haynsworth case for the Senate Judiciary Committee.

A look at the twelve-member committee that has twice endorsed Haynsworth confirms that, whatever rejuvenation Gossett and Segal may think they have accomplished, the "corporate" view reigns supreme. It includes no labor lawyer (one member, Charles Horsky of Washington, says he has represented some unions at some time in the past, but he won't say which ones or when); no lawyer for consumer interests; no lawyer whose income derives primarily from representing individuals in suits against corporations. There is, of course, no black lawyer.

Horsky, known as the committee liberal, is a member of the 110-lawyer Washington firm, Covington & Burling, that also includes Dean Acheson and that specializes in helping clients—corporations emphatically included—to do business with the government. The firms represented on the committee range in size from 110 members down to the five at Harry G. Gault's Flint, Mich., office. The twelve firms total 545 lawyers, including members and associates.

Four of these brag about their clients in legal directories. Norman P. Ramsey, who handled the Haynsworth investigation because he is the Fourth Circuit man on the committee, comes from a Baltimore firm that lists Bethlehem Steel, Du Pont, General Electric, General Tire and Rubber, Koppers Co. and Mobil Oil. Gault's little old Flint firm represents Sears Roebuck, Gulf Oil, State Farm Insurance and REA Express, among others.

Sherwood Wise of Jackson, Miss., heads a ten-lawyer firm that lists Mississippi Power and Light, the Illinois Central Railroad, REA Express, Delta Air Lines, Georgia Pacific, Ralston-Purina, etc. Robert H. Harry's forty-lawyer Denver firm lists Du Pont, Westinghouse, El Paso Natural Gas, IBM, J. C. Penney and Western Electric, all of which have more than a casual interest in who sits on the Supreme Court. The other committee members belong to firms that feel—quite correctly—they don't have to advertise their clients. It is certain that the lists are no less imposing. John A. Sutro comes from the most prestigious firm in San Francisco, Pillsbury, Madison & Sutro, which is celebrated throughout the West for its skill at keeping the unions in hand. ("It's pretty well known that if you have a [labor] problem, we're the people

to see," says Charles Prael, who heads the firm's labor staff.) The firm has represented Pacific Bell, Standard Oil of California and the giant Guy F. Atkinson Construction Co. on labor matters.

An old corporation lawyer like Haynsworth could expect to feel at home with this group. But just in case he felt the need of an extra welcome, it was assured by some most unusual circumstances:

¶Lawrence Walsh, the Wall Street lawyer who heads the committee, is the number-two man on the U.S. negotiating team at Paris. He was appointed by Nixon and serves at his pleasure. A committee repudiation of Haynsworth would have placed Walsh in the awkward and apparently unprecedented position of blowing the whistle before the Senate on a fellow Presidential nominee.

¶Of the four firms represented on the committee that advertise their clients, two cite clients involved in the Haynsworth controversy. Ramsey, the main Haynsworth investigator, is from a firm that represents a W. R. Grace subsidiary, Davison Chemical. Gault heads a firm that represents Maryland Casualty Co. Haynsworth owned stock both in Grace and in Maryland Casualty's parent company, American General Insurance Co., when he sat on cases involving the corporations. Horsky said in a telephone interview that he thought his firm represented W. R. Grace, but wasn't sure.

¶Still another member, Miles G. Seeley of Chicago, belongs to a firm that represents the Continental Illinois National Bank, which contributed both Treasury Secretary David Kennedy and Budget Director Robert Mayo to the Nixon Administration.

The committee members deny that they themselves are guilty of conflict of interest from such connections. "I really don't think I would be helping the President if I misled him as to the nominees," Walsh said when asked whether one Presidential appointee could pass a disinterested judgment on another Presidential appointee. (The

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answer is revealing, because it acknowledges a sense of obligation to Nixon, while it distorts the ABA committee's function in the Haynsworth case. Walsh and his committee are not quietly advising Mr. Nixon on whom he should nominate. They are faced, instead, with the alternative of repudiating or endorsing a nominee already publicly chosen by the President.)

Ramsey angrily asserts that his firm has done little business for Davison Chemical since it became a Grace subsidiary. He cannot remember ever handling cases for Davison. "I see no ethical problem whatever, in any way, whether I did or not," he added heatedly when asked about the relationship. Horsky says, philosophically, that big law firms like his have to have clients and that it would be surprising if some of these weren't sometimes involved in the courts.

Other ABA officials, even those who acknowledge distress with the committee's Haynsworth clearance, can see no impropriety or even irony in the circumstance that members of a committee charged with passing on the judge's ethics have financial relationships with corporations that figure in the charges against him.

Walsh's two hats have provoked more distress at the ABA's Chicago headquarters. "That is unfortunate, and I would wish he had avoided it," says one official. But the thought of calling publicly, or even privately, for Walsh to choose between the ABA committee and his Presidential appointment had not occurred to the official.

Walsh, for his part, says that he offered to resign from the chairmanship when Nixon sent him to Paris, and that Gossett did not accept the offer. Instead, Cloyd LaPorte, from former Gov. Thomas E. Dewey's Manhattan firm, was installed as acting committee chairman for the first half of 1969, when Walsh was out of the country.

Whatever happens to the Haynsworth nomination, the wrangle it has stirred up among the nation's lawyers seems likely to go on for some time. Many trial lawyers, in particular, are impatient with the ABA's conservatism. Like the two political scientists, they are unhappy about the bias ABA has so long betrayed in judicial selection. Some of them dismiss the Gossett-Segal efforts as window dressing or public relations.

One of the nation's foremost constitutional law scholars, Charles Black of the Yale Law School, offers a more fundamental objection. He doubts, he says, whether any group outside government should have any "quasi-official" role in the picking of judges. "I just have the feeling that no unofficial, fundamentally private body should have any special status in the process," Black explained. "The Constitution places the responsibility on elected officials in the Presidency and in the Senate, people who are answerable to the public for their actions, and that's where it should stay."

COLOR AND MAYHEM

UPTIGHT IN THE ARMED FORCES

WILLIAM ENDICOTT
and STANLEY WILLIFORD
Mr. Endicott and Mr. Williford are staff writers on the Los Angeles Times.

Anyone driving onto Travis Air Force Base in Northern California must pass large signs on either side of the road that proclaim Travis "an equal opportunity employer." The same idea is repeated time and again in military regulations.

In Monterey, a young black soldier with an Afro haircut stood on the front porch of the USO near Fort Ord recently and told it differently: "We try to rap with the man, and he won't listen. Black NCOs, they're part of the system. They'll believe a white major before they will a brother. Racism is the Army." Three black soldiers standing with him nodded in agreement, and one added: "The laws are there, but the prejudice within the people is still there, too."

President Truman ordered complete integration of the armed services in 1948 and by 1954 it had been accomplished. Segregation was ended in base housing, in schools for service dependents, in post facilities such as swimming pools and social clubs. But customs persist, attitudes change slowly, and a young black bent on asserting himself doesn't care the slightest about Harry S Truman. After almost twenty years of relatively peaceful coexistence between blacks and whites, the armed services are faced today with growing incidents of racial turmoil and discontent.

A colonel at the Army's Fort Ord, after first saying "there is no identifiable trend to indicate we have a racial problem," later conceded that the potential exists. At Camp Pendleton, the largest Marine Corps facility on the West Coast, a spokesman was more direct: "It's building into an explosive situation." Gen. Leonard F. Chapman, Jr., the Marine Corps commandant, acknowledged the reality of the problem at a news conference in Washington last month, when he said that racial violence among Marines must stop.

It had broken out in mid-July, when a white Marine at Camp Lejeune, N.C., died of injuries suffered in an outbreak between blacks and whites. In early August, twenty-five soldiers were hospitalized at Fort Bragg, N.C., after a racial fight that involved about 200 Negro and white troops. Other clashes have been reported at a Naval air station near Providence, R.I., a Marine Corps air station in Hawaii and at several major Army bases from Fort Dix, N.J., to Fort Hood, Tex.

The troublemaker often cited is the young, single, black serviceman, and a larger dimension for the turmoil may be found in the racial disorders that have recently

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beset the colleges and high schools. That is the age group which feeds the military with most of its enlisted men.

A product of a society increasingly aware of minority civil rights, the young black is impatient and assertive in the presence of discrimination. He may wear an Afro haircut and read militant black literature. In many cases, he sees no justification for the war in Vietnam, and he often looks upon the black noncommissioned officer as an Uncle Tom.

Sgt. 1/C Walter Ambrose, a drill instructor at Fort Ord and himself a Negro, said that basically the younger blacks are alienated by the fact that the Army is white controlled. "They resent taking orders from whites," he said, adding that it is harder for him to train the new breed of black soldiers. "First of all they see me as a brother. Right away they get me in trouble. They feel I should be more lenient."

Civilian militant groups, such as the Black Panthers, also have an effect, particularly on the men who go on leave in the larger cities. "Sometimes they come back a little uptight," said one Marine. Many black soldiers have taken to wearing medallions, giving black power signs and the black power handshake. If not universally used by blacks, they are at least universally understood. Col. John E. Emerson, Jr., chief personnel officer at Fort Ord, said he had "not been able to identify any visible militant element" influencing soldiers. But a moment later, he spoke of that element as being on the decline.

The black career soldier tends to minimize the racial issue, while the young recruit, though he may not say that racism has affected him personally, is convinced that it exists. He is likely to look askance at any black man who says it doesn't, and this places the black career NCO in a dilemma. If he denies the racism, he is thought blind; if he admits it, he is judged to have accepted it and is looked upon with contempt.

The two areas most likely to produce racial friction are social situations involving girls and alleged discrimination in promotions. Most commanders will admit that in the last few months the post off-duty clubs have become increasingly explosive. "One of the problems is the Saturday night dance," explained Jack Bale, executive director of the Oceanside Armed Services YMCA near Camp Pendleton. "We don't have enough girls, period." Most of the white girls will dance with black Marines, he said, and some of the white Marines from the South resent it. When he sees trouble brewing, Bale immediately stops the dance.

"A white boy will dance with a Negro girl and nothing will be said," contends David Wingate, a retired Marine gunnery sergeant now living in Oceanside. "But the moment a black boy dances with a white girl, the situation changes 180 degrees. There are not enough Negro girls here for the black guys. There never will be. Most of the problem is with the young, single black men. They don't have wives to go home to. They can't find women companions nearby and they don't have a car to get away."

Most white GIs deny being upset when black colleagues have white girl friends, and many blacks say they have no problem from whites on the issue. But others think resentment often simmers beneath the surface.

The complaint of unfair promotions persists, though the older NCOs tend to minimize its importance. Most beefs come from individuals who believe that their own advancement was blocked by the wall of racism. Retired Gunnery Sgt. James Spurling, who lives in Oceanside, claims that the Marine Corps applies a double standard when handing out promotions. He cites his own career: "Twenty-one years and I'm still a gunnery sergeant."

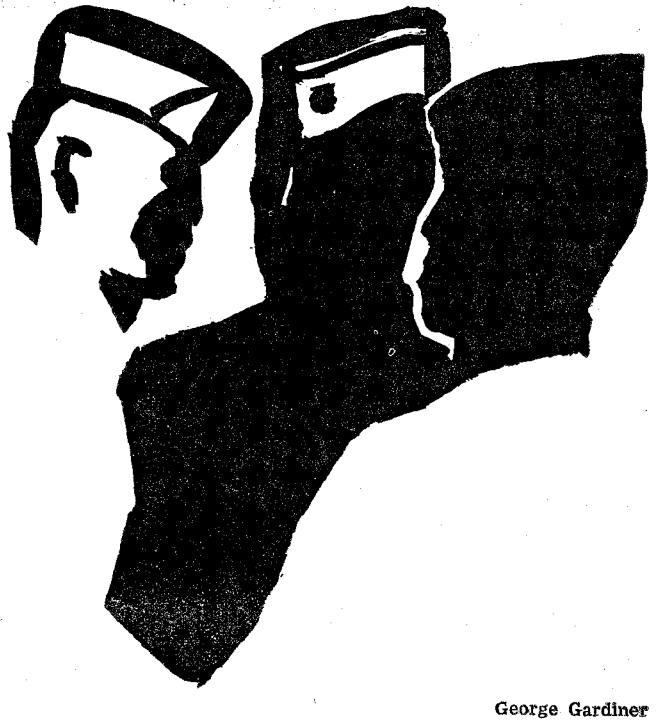
Such charges are denied by Lieut. Gen. Lewis W. Walt, assistant commandant of the Marine Corps, who said recently at Camp Pendleton that the Negro Marine has done better on promotions than the white man. "We just don't make any distinctions."

Base commanders are quick to remind a questioner that current orders prohibit the listing of race on personal records. From this they argue that there is no way to tell whether a soldier is black or white when he is up for promotion. What they fail to add is that any soldier being considered for a rank above that of corporal must stand before a promotions board, usually made up of his company commander and/or another officer and a group of NCOs.

"Brothers try to get rank by working hard, but it goes to the other man," said Pfc. Samuel Evans, who has been stationed at Fort Ord for seven months. "I just don't see brothers get any opportunities. They try and they can't cope so, boom, they split and do what comes naturally."

Of course, there is some counter evidence. Staff Sgt. Alfred Bland is a Pendleton Marine and a Negro. "I'm a walking freak," he said. "I'm 22 years old and I'm an E6 [staff sergeant]. I've climbed the ladder kinda fast. I think for the work I've done I've been rewarded properly." About 10 per cent of all the NCOs in the military are Negro. Among the officers, however, they drop to 2 per cent.

Most officers deny unequivocally the existence of any racism in their command, but their own conversations,



George Gardiner

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many black servicemen contend, betray signs of underlying racism. For example, a colonel at Fort Ord said race relations on the base "have never become a prominent issue—everybody is wearing the green suit." But then he spoke of "jungle beat music" in the base's off-duty clubs and how, before the entertainment pattern was changed, the clubs had been overrun with "darks." A white staff sergeant at Fort Ord dismissed the question of how he got along with blacks by saying, "Outstanding. Best friend I ever had was a colored man."

Even efforts to foster amity often unwittingly emphasize racial myths. A recent editorial on human relations in the base newspaper at El Toro Marine Corps Air Station fell into that trap: "Tastes vary because of cultural backgrounds," it read. "Maybe you like grits, country music and auto racing. Another guy digs fried chicken, soul music and boxing."

Officers on most bases, while saying that they are alert for trouble, maintain that it is often difficult to distinguish between a racial incident and an ordinary fight. According to Col. J. J. Kelly, provost marshal at Camp Pendleton, people tend to see racial overtones now whenever a black Marine slugs a white Marine. There have been 145 assaults at Pendleton in the last seven months and, in the last two months, increasing reports of groups ganging up on single Marines. Kelly believes these attacks "are not necessarily racial."

Several weeks ago, however, seven black Marines were arrested in Oceanside as suspects in a series of muggings and armed robberies. Their victims were primarily fellow —but white—Marines. Kelly has instructed his military policemen to disperse large crowds, particularly in the area of off-duty clubs. "If we get word of a problem area, we increase our patrols in that area." One Marine at Pendleton said anyone in his unit returning after an 11 P.M. curfew is escorted to his barracks by MPs. The measure, he said, was designed to stop fights between blacks and whites.

On-base jails, brigs and stockades have been the scenes of racial trouble. In January, twenty-six men were injured in a fight between Negro and white prisoners at Camp Pendleton. Fort Ord had a similar outbreak about a year ago. This particular problem seems to have diminished recently, at least on West Coast bases.

A prison officer at Fort Ord said there had been no racial violence in the last eight months, but that some organizing was evident in the stockade. The Negroes, he noted, are a rather cohesive group. "There have been some reports that they have required some Caucasians to do services for them." One white prisoner complained to him: "The brothers make me shine their shoes." He also said that black prisoners often team up with Mexican-Americans. When the authorities notice such cliques, they usually shift the men around.

Off base, in any military area, there have always been barroom fights, but it now appears that these are becoming racially oriented. One white Camp Pendleton Marine believes a lot could also happen on the base. "I just got in from Las Pulgas at the enlisted club," he said. "They almost had a race riot. Something started a fight in the club and I saw ten or eleven colored guys chasing this one white guy. The sentry saw it and just fired a couple of shots in the air. Everybody scattered."

In Seaside, adjacent to Fort Ord, Negroes have staked out a downtown intersection called "The Pit" and made it off limits to whites. Said William Gullett, the city's assistant police chief: "If a white soldier wanders in there, he's apt to find himself in trouble."

Efforts are being made to stifle trouble before it erupts. At Camp Pendleton, T. O. Bartley, a Negro civilian who serves as the base human relations officer, has organized a committee to discuss personal relations, particularly the attitudes of various civilian militant groups, with the officers. "We do have a few Black Panthers on base, and they do talk to other Marines," said Bartley, who served in the Marine Corps more than twenty years ago. "The Negro can communicate easier with them than he can with his own commander.

"There should be more black officers, but we have no control over that. A black private first class hates to talk to a white commander who maybe comes from Alabama."

The Pendleton human relations office is one of the few of its kind in the military. It was opened in 1965 to deal with off-base problems of minority personnel, but recently has turned more and more to on-base grievances.

At Fort Ord, a survey of racial trouble spots is under way. "We're very conscious and aware of the potential," said Col. John J. Pidgeon, chief of staff on the post. "And we're very interested in seeing that such troubles do not arise." At Travis Air Force Base an office to improve communications among airmen has been created and filled by a Negro chief master sergeant, Gladstone Grigsby.

All the bases are particularly concerned about rumors which can, it is felt, be as dangerous as reality. A reporter who spends ten minutes talking to almost any serviceman at any military installation will hear a spate of stories about black men ganging up on whites, and vice versa. There are tales, undocumented, at Camp Pendleton that a Negro Marine was beaten so badly by whites that he had to be given a medical discharge and that a white Marine was held under a scalding shower by blacks. A story making the rounds at Fort Ord has it that about seventy black soldiers have formed a militant organization—provoked mainly by the allegedly unjustified incarceration of brothers in the stockade. L. Howard Bennett, the Defense Department's deputy secretary for civil rights, advocates that each base establish a rumor control center.

Richard Nichols, a 20-year-old black private first class at Fort Ord, perhaps best summarized the total problem: "There are some guys who are sorta militant—both black and white—and then you run into some guys who are O.K. They get along, but it's the feeling on the inside that you don't know."

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The Authoritarian Prescription

WILLIAM D. PHELAN, Jr.
Mr. Phelan, a former staff reporter on The Wall Street Journal, *is a regular contributor to the Ripon* Forum. *He is completing a book on structural change in the American politico-economic system, to be published by Beacon Press.*

An examination of basic structural trends in the United States suggests that the disintegration of constitutional democracy is well under way. President Nixon has not initiated these trends and he did not endorse their predictable consequences if he foresaw them. Nonetheless, the campaign plan which his associates are devising for the 1972 election is likely to aggravate the worst tendencies now current and to extinguish prospects for salvaging the situation. To grasp the overall argument at the outset, consider two broad propositions that relate changes in key governmental institutions to regional developments and particularly politics:

(*1*) In the evolution of America's government since World War I, and most notably since 1960, possibly the most significant trend has been the expansion and politicization of the Department of Defense, the Justice Department (including the FBI and, by extension, the rest of the intelligence and "internal security" apparatus) and the police.

(*2*) The strategy outlined by Kevin P. Phillips, assistant to Attorney General Mitchell, in his all but official *Emerging Republican Majority,* is a prescription for an authoritarian coalition. Mr. Phillips' political predictions can, in part, be self-fulfilling because his superiors control the Defense and Justice Departments and have great influence over public opinion. His plan offers much promise as a scheme to create a right-wing Republican dynasty. Socially, though, it is violently unconservative and, if successful, will accomplish the destruction of the American political system.

It is well known that the American defense establishment has expanded enormously during the past thirty years. Less widely recognized, however, is the extent to which the Pentagon has, just since 1960, acquired new functions and enlarged old ones:

The formalization of Pentagon-contractor links in the Defense Industrial Advisory Council (established 1962). More than half of the members are top executives from the fifty largest defense contractors, and they develop close personal ties to high Pentagon officials. Their recommendations can benefit some companies and damage others, and make or break individual reputations within the defense-industrial system. By coordinating the activities of defense industry associations, the council integrates the contractors for matters of common interest. Thus DIAC contributes to strengthening the defense sector relative to other elements of the economy and to the power of the politically most influential corporations relative to the rest.

The centralization of auditing in the Defense Contract Audit Agency (created 1964). The General Accounting Office (GAO) was established by Congress to post-audit all government departments. Some of its reports on Pentagon contracting in the early 1960s were extremely critical. At the time when the DCAA was being formed, the Office of the Secretary of Defense indicated that it would no longer be necessary for the GAO to conduct its traditional audits, because the Defense Department would be doing a more thorough job for itself. To eliminate "waste and duplication," the only effective, independent check on waste, duplication and corruption was weakened.

The integration (in 1961) of intelligence activities in the Defense Intelligence Agency. With the establishment of this agency the Department took an important step toward reducing its dependence on information and related services supplied by the State Department and the CIA. Although some foreign-based observers claim that in many countries the DIA is more important than the CIA, it is extremely difficult to obtain reliable information about the nature and scope of its activities. This year, however, it reportedly has developed an active program of surveillance and infiltration of dissenting political groups.

A substantial augmentation in the size and centralized control of Pentagon public relations activities. To check unattributed expressions of dissent within the department, a directive written in 1962 instructed all Pentagon personnel to report, before the end of each working day, every contact with journalists and the topics discussed. The press office can order department personnel to concur with decisions taken at the top or to decline comment. Subtle use of "inside stories" and access to key publishing executives enable the Defense Department to exert tremendous indirect power on newsmen. Critical reporters have been subjected to FBI investigation and private attacks—including complaints to their employers and to other men influential in the communications industry. Arbitrary classification of material as secret has been used to stifle investigation or the publication of critical reports. Each year, moreover, an enormous volume of material designed to produce a favorable impression of the Defense Department is issued.

Institution of advanced management techniques. The innovations of McNamara, Hitch and Enthoven have undoubtedly increased departmental efficiency. Yet when the largest federal department creates a major "management gap" between itself and the nonmilitary agencies of government, one must beware that it does not override other departments in general policy matters.

Extensive use of computers. The Pentagon has been in the vanguard with respect to applying computers to many aspects of its operations. Most of the nation's computer research and development is funded by the Department of Defense. As with advanced management tech-

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niques, innovative superiority in this area should be expected to diminish the influence of other institutions relative to the Department of Defense.

Centralization of much governmental purchasing in the Defense Department. In July 1968, the Department began to assume responsibility for all fuel and petroleum products used by the civil agencies of the federal government. Eventually the Defense Supply Agency will control all government purchasing in this area. An arrangement entered into by the Bureau of the Budget, the General Services Administration and the Defense Department provides for the Defense Commercial Communications Office (formed in 1962) to lease private line circuits to the Federal Aviation Administration. Other agencies have also been encouraged to go through the Defense Department for their telecommunications requirements. Though this has resulted in substantial savings, it has also increased the dependence of nonmilitary divisions of the government upon the Department of Defense. The Defense Commercial Communications Office is a small but striking example of a general tendency: the integration of interdepartmental operations in a structure that bestows hegemonic power on the Pentagon.

The further integration of the universities into the Pentagon research system through such links as the Defense Science Board. Powerful, prestigious professors and administrators serving on the Defense Science Board play a role in the academic community analogous to that of members of DIAC in the business community. Recruitment of professors for full-time Pentagon jobs is more common than it was ten years ago. Graduates of the Defense Department often acquire influential positions at universities. Perhaps the most notable of these is Charles Hitch, formerly dean of McNamara's Whiz Kids, and now President of the University of California. But almost every major university employs a high-level administrator with extensive defense or intelligence agency ties.

The emergence of long-range planning under primarily Defense Department auspices. The military theoretician, Herman Kahn, is a major figure in the new "futurist" movement. He and various other defense intellectuals have played a major role in some of the key research projects that have been initiated in very long-range planning. A generation ago two years was a long time ahead for most corporations and government agencies. At present five-year projections are made routinely in the Pentagon and the executive offices of dynamic corporations. To be termed "long-range" now, planning should involve a projection of eight to ten years. Companies and nation-states that plan skillfully to take advantage of long-term opportunities can achieve major triumphs over their competitors. To the extent that Defense Department goals and technocratic values are dominant among the futurists, however, their research is likely to benefit primarily the military and the leading corporations.

A rapid growth in arms sales abroad. Military exports increased sevenfold between 1960 and 1966; arms are now sold to approximately sixty nations. The rapid expansion in the export of weaponry has facilitated the integration of our military system with that of other countries. Since 1960, at least two significant clashes have occurred between nations using American weapons: the India-Pakistan conflict of 1965 and the Arab-Israeli war of June 1967.

The training and use of regular army units for domestic riot control and the management of political dissent. Beginning in a major way with Detroit and Newark in the summer of 1967, the Defense Department has become involved routinely in the maintenance of "civil" order. Not only did it take a significant part in handling the Pentagon demonstration and the disturbance after Dr. King's assassination; it was also intimately associated with preparations for the Democratic National Convention at Chicago. An Army public relations officer is reported to have stated at a Washington-area seminar that many of the garish and belligerent demonstrators at the Pentagon in November 1967 were *agents provocateurs,* trained by the military to convey the desired impression of the crowd in the mass media. Even if this particular report is exaggerated, it is clear that the Defense Department has the resources and determination to "adjust" political events to further its own objectives.

During this period when the Pentagon's organizational strength has developed so rapidly, politically motivated contracting has become an increasingly serious problem. In a system that opens only a fraction of contracts to competitive bidding, the best tests of influence peddling are the financial records of politically well-connected companies. From 1960 through 1967 five major corporations (1967 sales above $200 million) among the leading defense contractors increased their annual sales —through internal expansion and government-endorsed mergers—by more than 500 per cent. They were Litton Industries, Ling-Temco-Vought, Gulf & Western, Teledyne, and McDonnell Douglas. The chairman and chief executive officer of Litton is Charles B. Thornton, a member of the Defense Industrial Advisory Council, long-time associate of McNamara, and close friend of President Johnson. The top man at L-T-V is James J. Ling, one of Humphrey's most generous campaign supporters, a business ally of several of Johnson's long-time Dallas backers, and the holder of corporate control over several subsidiaries in whose management Abe Fortas and his former law partners have been particularly active.

Perhaps the most powerful outside director at Gulf & Western is Edwin L. Weisl, Johnson's most loyal ally in New York. Cyrus Vance went to the Defense Department from Weisl's law firm, and Weisl's son got a key post in the Defense Department. The chief executive at Teledyne, Henry G. Singleton, has long associations with both Thornton and Howard Hughes, who has been influential behind the scenes during much of Johnson's career. Teledyne's co-founder and a dominant director is George Kosmetsky, dean of the business school at the University of Texas in Austin. Finally, McDonnell Douglas is well linked to the Missouri branch of the Democratic Party. In addition to ties to Clark Clifford and Stuart Symington, it at one time included among its directors James E. Webb, until recently head of NASA, and a close adviser of both Johnson and the late Senator Kerr of Oklahoma.

The accelerating concentration of corporate power in the economy and the relentless centralization of decision

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making in the Pentagon make increased reliance on influence peddling almost inevitable. Singleton of Teledyne was a major contributor to Nixon's campaign, and Roy L. Ash, president of Litton, has become one of his key outside advisers.

In the last year the mass media have frequently listed the extraordinary number of defense projects that Rep. Mendel Rivers, chairman of the House Armed Services Committee, has funneled into his Congressional district in South Carolina. Men from the South and Southwest control all four of the major "military-industrial" committees: Rivers, Mahon (House Appropriations), Stennis (Senate Armed Services) and Russell (Senate Appropriations). Moreover, the South and Southwest have great influence in the related areas of atomic energy and space.

Although a taboo apparently attaches to the subject, the most spectacular career in military boondoggling has been that of Lyndon Johnson, who began his political ascent as administrative secretary to Representative Kleberg, the ultraconservative owner of the King Ranch. After a stint as Texas director of the National Youth Administration (a job he got through Sam Rayburn, whom his father had aided when they served together in the Texas legislature), Johnson ran for Congress in 1937. His campaign strategy was to identify himself as closely as possible with FDR. Roosevelt was unpopular with a majority of Texas voters, but in a multi-candidate race Johnson's opponents could be expected to divide the anti-Roosevelt vote. Johnson established himself for all time as a devoted Roosevelt man by loudly supporting the President's most controversial maneuver of the period—the plan to "pack" the Supreme Court. Within six months after Johnson won his House seat (with 28 per cent of the vote), Roosevelt began to prepare for war. Johnson landed a place on the House Naval Affairs Committee and soon secured the first major military construction contract for Brown & Root, his primary financial backers throughout his career.

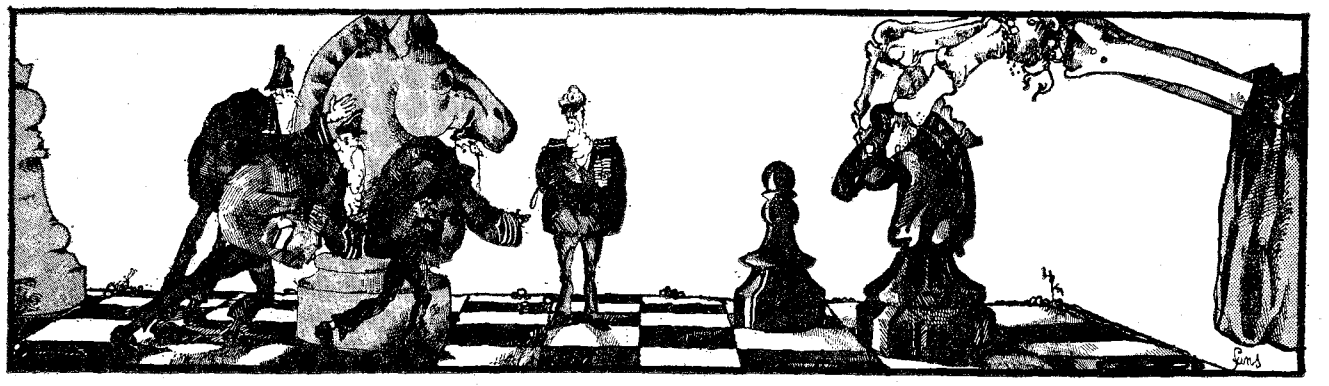
By the 1950s Johnson was the most powerful and relentless advocate of increased arms spending in Washington. Having advanced to the Senate, he was a member of the Armed Services Committee, chairman of the Preparedness Committee, chairman of the Space Committee and a member of the Appropriations Subcommittee for the Armed Services. Associates of Johnson and Rayburn held key executive positions, especially at Defense, in both the Eisenhower and Kennedy administrations. LBJ intervened repeatedly, on occasion at the highest level, to block investigations and suppress reports of gross mismanagement and possible fraud in connection with various Brown & Root contracts. As Vice President, Johnson helped to secure the huge TFX contract for the General Dynamics plant in Fort Worth. This plane, a disastrous failure in operation, had apparently been rejected unanimously in the prototype stage by technical specialists who favored a Boeing model to be built in the Northwest. Subsequently, Fred Korth, a Fort Worth banker for whom Johnson had secured the post of Secretary of the Navy, was forced to resign for a blatant conflict of interest.

When Johnson entered the White House, the most conspicuous features of his career to date had been his constant drive for higher defense spending and his involvement in an assortment of scandals in which federal funds had been squandered to enrich his associates. These included Project Mohole, the Houston Space Center, the Billie Sol Estes case and Bobby Baker. If effective checks on defense appropriations had been in force, Johnson would have been obliged to stay above suspicion after ascending to the Presidency. The merest hint of abuse would have triggered a Congressional investigation. However, during the last fiscal quarter under a Kennedy budget, Texas ranked eleventh in prime defense contracts; three years later (at the end of fiscal 1967) it ranked second, behind California. Its prime contracts soared 460 per cent in dollar value during a period when the national total increased 55 per cent.

Despite frequent and very severe criticism from the General Accounting Office for past abuses, Brown & Root was a partner in the four-membered consortium that held the major construction contract for Vietnam, a contract that produced costs and accounting irregularities of unprecedented size. Moreover, a close Johnson friend in San Antonio, H. B. Zachry, was awarded an enormous construction contract in Thailand.

During the heyday of the war escalation, major Johnson-related companies in Texas enjoyed appreciations in stock price ranging from 670 per cent to more than 1,500 per cent. The whole Southwest region greatly increased its power lead over other areas of the country. Phoenix and Houston have surged ahead of their Northeastern counterparts in terms of economic and political influence. Other factors beside defense spending have contributed to the change, but federal pump priming has been decisive.

The White House has now fallen into Republican hands, but the Southwestern military-industrial-academic complex is still represented at a high level. (One of its leading members is Deputy Secretary David Packard.) Secretary



Toronto Daily Star

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Laird was among the shrewdest and most influential in the Congressional-military alliance. His term at the Pentagon will probably feature a strengthening of the hard-line military faction and the sophisticated use of Defense Department powers for partisan political purposes.

• • •

A man can learn a great deal about a country from studying its Defense and Justice Departments. Among modern Presidents there had developed a tradition of making one's campaign manager—or key political adviser—postmaster general. In that capacity he could keep his hand on the largest patronage spigot in the government. John Kennedy breached the tradition by appointing his campaign manager attorney general. The glowing memoirs of the New Frontier "action-intellectuals" have never adequately explained the General Aniline & Film case, various instances of political surveillance and harassment, and a number of other apparent partisan abuses at the Justice Department during Robert Kennedy's tenure.

Few things could rivet an ambitious politician's mind so completely to the techniques of his adversary as the election Nixon lost to Kennedy. In the foreground of the campaign devised by the JFK organization were magnificent image management and mastery of the media; in the background, ruthless machine politics, a carefully calculated and selective appeal to ethnic conflicts, and the fabrication of a "missile gap." The costly new defense projects passed in Nixon's first year as President are, in a sense, the functional equivalent of the massive, politically tinged military build-up of the first phase of the Kennedy administration.

At the Justice Department Nixon has gone far beyond the Kennedys. With the exception of Richard McLaren in the Antitrust Division, nearly all the key appointments were highly "political." The South and Southwest are represented by four major appointees. Ideologically, the leadership at Justice is far to the right of the GOP Congressional leadership or of any other Executive department except perhaps Commerce. But the most striking feature is the open and forthright espousal of a backlash-oriented electoral strategy. Mitchell, Kleindienst and Phillips make hardly any pretense of legal neutrality or restraint. Their overriding concern appears to be the furtherance of a clearly enunciated scheme for establishing a reactionary political dynasty.

Approximately half of the budget of the Justice Department is handed over to the FBI, where J. Edgar Hoover has reigned since 1924. Over the decades since then Hoover's special interest has been dissent and possible subversion by left-wing individuals and groups. Three factors appear to determine the level of anti-radical and anti-liberal activity possible at the FBI: the amount of general turmoil in the society; the degree of support provided by the attorney general and the President, and the number of actual instances of subversion, sabotage or terrorism.

At the height of the McCarthy era the attorney general was mildly sympathetic to political repression. Social turbulence reached a moderately high level—in response to the "fall of China," the loss of the nuclear monopoly, the Korean War, and economic dislocation. Notably lacking, of course, were public advocates of revolution, let alone terrorists or perpetrators of sabotage.

Today, social conflict has become intense. Nixon has long been keenly interested in and adulatory of the work of the FBI; he is a friend not only of Hoover but also of several of his leading lieutenants. Ensconced in the top posts at the Justice Department, moreover, are the most politically ambitious and repressive men since A. Mitchell Palmer whipped up the hysteria of 1919-20.

At the same time, tens of thousands of people are openly declaring themselves revolutionaries. Unlike the early 1950s recent years have been characterized by a rapid increase in acts of sabotage. Draft offices are ransacked, ROTC buildings dynamited, government facilities fire-bombed. There exists, in short, a demonstrable, if limited, physical threat to the state. Consequently, a justification can be put forward for a wave of massive repression. And the timing and scope of such a move is, at least initially, at the discretion of the political strategists in the Justice Department.

The Justice Department and the FBI represent only a tiny fraction of the nation's law-enforcement personnel, but much evidence of growing power and political sophistication has been gathered concerning local police departments. The Skolnick report to the National Commission on the Causes and Prevention of Violence refers to "the emergence of the police as a self-conscious independent political power."

The report's description of the crushingly successful campaign by the New York Patrolmen's Benevolent Association against Mayor Lindsay's review board (composed of three policemen and four civilians) is instructive:

> According to a number of accounts policemen campaigned hard while on duty: patrol cars and wagons bore anti-review board signs, police passed out literature, and even harassed persons campaigning on the other side. Many have claimed that at the height of the campaign cars with bumper stickers supporting civilian review were flagrantly ticketed, while an anti-review sticker seemed to make autos almost ticket-proof. Billboards, posters, and ads were heavily exploited, and the campaign was heavily financed by the PBA and private sources. One poster depicted damaged stores and a rubble-strewn street and read: "This is the aftermath of a riot in a city that *had* a civilian review board." Included in the text was a statement by J. Edgar Hoover that civilian review boards "virtually paralyzed" the police. . . . At the outset, it was the distrust by minority group members of internal police review procedures which caused the demands for civilian review boards; the militant opposition of the police has only heightened this distrust. Thus, as might be anticipated, a cycle of greater polarization has been set in motion.

And yet, among large American cities New York stands out as one in which the police are under the most effective civil and legal control. The situation is far more serious in Philadelphia, Chicago, St. Louis and Los Angeles—to give just a few geographically diverse examples. In its conclusion on the police, the Skolnick report asserts:

> No government institution appears so deficient in its understanding of the constructive role of dissent in a constitutional democracy as the police. Thus, it should

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not be surprising that police response to mass protest has resulted in a steady escalation of conflict, hostility, and violence. The police violence during the Democratic National Convention in Chicago was not a unique phenomenon—we have found numerous instances where violence has been initiated or exacerbated by police actions and attitudes. Such police violence is the antithesis of both law and order. It leads only to increased hostility, polarization, and violence—both in the immediate situation and in the future.

Changes in the Department of Defense, in the Justice Department and in the role of the police should not be seen as unrelated developments. Hoover is often described as "the nation's top cop," and federal policy, particularly in the "security" area, is coordinated with that of local police departments. The vast new civil disorder control center at the Pentagon, as well as the growing domestic activities of the DIA, give the Defense Department an entree to the field. As computer systems become refined, a strong impetus toward further integration is almost inevitable. To some extent, the three transformations can also be seen as parallel responses to alterations in the basic economic institutions of the United States.

Surely one of the most insidious sources of instability —because it is so difficult for business and political leaders to recognize—is the corporate system itself. The tremendous expansion of American corporations, both at home and abroad, during the post-1945 period has created severe dislocations. These "problems of success" arise when specifically corporate objectives conflict with fundamental social needs or requirements for preserving stability. Here only the implications of foreign investment will be considered.

Private American investment in foreign countries has increased more than sixfold in the past twenty years. Subsidiaries and branch offices of major U.S. corporations and banks have become prominent in the economies of dozens of nations. In some of these countries tiny oligarchies control most of the wealth and most of the political power. Since the leading families own and direct the principal enterprises of such nations, American businessmen naturally develop contacts and friendships almost exclusively with them.

Besides the sharp increase in dollar value, foreign economic ventures during the last twenty years have been characterized both by a much greater involvement of the largest corporations and by a much broader geographic range than prevailed before 1950. The overseas ventures have thus become far more significant in the American political-economic system as a whole. Moreover, since the mid-1930s, special economic interests have become more closely linked to the new (or expanded) departments, agencies and commissions developed in the New Deal era. The internationalist investment banker and the Washington lawyer are classic types of "in-and-outers," who translate the power of leading economic interest groups into effective influence over policy making in the areas vital to these groups.

American intervention in the Dominican Republic is a good example. Especially since the end of trade with Cuba, the East Coast sugar refiners have been potentially vulnerable to social disorder or political change in the Dominican Republic. Government bureaucrats can therefore be expected to take the interests of American investors into account when formulating policy. But what was most striking during the crisis in the spring of 1965 was the extent to which men with direct personal interests in sugar (or with close ties to the industry) dominated the decision-making process. Of the dozen or so Americans who played leading roles as advisers and emissaries, nine had obvious private commitments to the sugar industry. Five were key figures throughout the crisis: Ellsworth Bunker, Abe Fortas, A. A. Berle, Cyrus Vance and Edwin Weisl.

These men furnished the President with information and represented the United States at meetings with Dominican officials. Structurally, this was a "rational" outgrowth of the strength and organizational needs of a specific set of corporations. Analogous instances of highly integrated special interest policy making could be cited in the relations between the United States and other foreign countries.

Endorsement of corrupt, repressive, oligarchic regimes need not be destabilizing as long as one can count on the docility of the masses or the effective suppression of dissidents. (If Diem's brutal authoritarianism had been politically successful, the United States would not have been led to intervene with its own troops.) But in Guatemala, the Philippines and various other countries, Left-nationalist insurgent groups are organizing. Frustrated expectations of rapid economic advance after a period of some improvement are one cause of unrest. Much broader familiarity with "Western" consumption standards is another.

Many potential new leaders show growing sophistication concerning the inequitable operations of the world commodity market and some of the disadvantages of American investment. Their hostility to the United States because of the devastation wrought in Vietnam is often intense. Increasing corruption and repression in the political regimes of various American allies, is, of course, an immediate and direct cause of discontent.

It is reassuring to believe that the American Government has learned valuable lessons from Vietnam. One must then ask whether current policy toward Greece, Thailand and Brazil reflects a basic change of approach. About a dozen regimes to which the United States has heavily committed itself are likely targets for significant internal Left-nationalist insurgencies in the next five years. Unless American foreign policy changes substantially, "one, two, many Vietnams" probably await us in the 1970s.

In recent years we have witnessed the "radicalization" and subsequent recall of American priests and nuns assigned to Guatemala. Revolutionary militancy has gradually developed in the American Negro population, and a broader range of people has become sensitive about South Africa (recently, the Episcopal Church withdrew

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its funds from banks furnishing credit to South Africa). United States-based research groups such as the North American Congress on Latin America (NACLA) have been conducting detailed studies from a radical perspective on the effects of American corporate involvement south of the border. And at San Francisco State College one major insurgent faction called itself the Third World Liberation Front.

Improved communications insure that people in the rest of the world—practically anyone who lives in a village that can afford a transistor radio—are quickly informed of developments within the United States. In this context we must consider the possibility, not that schemes devised in Third World countries determine what happens in the United States but, rather, that events in this country may eventually promote insurgencies elsewhere. In addition, further military intervention and damaging investment practices in Third World countries will gravely exacerbate American domestic conflicts. And then, an erosion of the position of the disadvantaged here will almost surely have foreign policy repercussions.

Ultimately, what is most disturbing about the Phillips strategy for achieving Republican hegemony through an anti-activist, anti-black, anti-urban, anti-Northeast coalition is the political pay-off provided by socially disastrous policies. His book does not display enough sociological insight into the consequences of his tactics to warrant charging Phillips with a totally cynical obsession with power. But consider how several controversial policies of the Nixon era fit into the strategy:

A high level of numerous expensive, counter-productive defense projects. These have four major political functions: (*1*) They increase the influence of the Pentagon relative to "liberal" departments like Health, Education and Welfare. (*2*) Given the disproportionate concentration of defense business in the South and Southwest, they provide continued impetus to rapid expansion in the regions Phillips wants to make a mainstay of the Republican coalition. (*3*) The highly political nature of defense contract awards enables an administration to reward its corporate and Congressional friends and to teach its foes a lesson. (*4*) New contracts maintain or increase the size of the defense-industry work force, a particularly promising component of an authoritarian Republican coalition.

A series of actions provocative to the black community. Almost every major black leader has been alienated by the present Administration and discontent is growing among apolitical Negroes as well as among militants. The cold, relentless advocate of the Phillips strategy must welcome the prospect of intensified conflict and violence. It promotes backlash and the substitution of scapegoating racism for rational political action—especially among key low-income white groups.

Anti-drug crackdowns concentrating on sellers and users of marijuana—at least in actual application by local police—and featuring no-knock predawn raids on college dormitories. Students know that the scientific case for the harmfulness of alcohol and tobacco is more solid than it is for that of pot. The occasional user or friend of occasional users is apt to regard predawn raids and harsh jail sentences as outrageous. For some individuals, moreover, higher prices for marijuana will make methedrine and heroin more attractive. While marijuana typically induces passivity and placidity, methedrine is associated with violent outbursts and heroin, of course, with a high crime rate.

But Phillips correctly notes that the under-25 segment of the population casts only a tiny proportion of the total vote. The young are more useful as stimulators of backlash. And more "crime" means more interest in "law and order," and a bigger swing to the emerging Phillips coalition.

Though Phillips presumably does not intend to make explicit recommendations to promote social conflict and crime, his strategy offers political justification for policies that will aggravate social problems. Those who criticize the Nixon Administration for doing nothing must evoke a smile from the sublimely confident Phillips. When the name of the game is reaction, all you need do at the beginning is make sure your opponents are given enough rope—the hanging can come later.

Rarely, one suspects, has the danger to liberty and political stability been so obvious. Many societies have collapsed or degenerated in response to unpredictable events, and in retrospect, one can often see why the citizens and leaders were caught off guard. In the case of the United States, however, the destruction of the political system is proceeding in an evident, easily understandable fashion. Skeptics who are fundamentally optimistic should struggle with the following questions: What commitments to corrupt, oligarchical governments have been eliminated in the past few years? What significant Pentagon projects have been rejected by Congress? Have there been any close votes in that area since the ABM? Has there been effective national protest against the electronic surveillance of people like Martin Luther King, Jr., or against the indiscriminate use of potentially lethal "super gas" (CS) and shotguns in Berkeley? Have responsible dissenters been able to dissuade left-wing adventurers from acts that promote the realization of the Phillips plan?

With each passing year, if the fundamental trends continue, less will be needed to initiate the final transformation. The new political system would not be fascism but rather military authoritarianism. The economy would be completely dominated by huge international, multi-industry, defense contracting corporations with secure connections at the Pentagon. The political regime would be maintained, not by the general consent of the governed but by a highly integrated FBI-CIA-defense agency-police system relying increasingly on the manipulation of public opinion, surveillance and coercion.

In an era of widespread international upheaval the key role of the military and of defense conglomerates in the new political order would almost guarantee a series of ruinous foreign adventures. Given the vulnerability of the total environment, it is doubtful that man could survive expansionist authoritarianism in the United States.

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In one sense, Vietnam and America's urban and racial problems have received too much emphasis. After all, the United States has been involved in other unpopular and morally opprobrious wars. And slavery was worse than the present lot of black people. For this reason many academic liberals regard the widespread concern about military atrocities and racial injustice as a sign of marked improvement over previous historical periods.

But such fixation on personalities, events and issues tends to blind Americans to structural change and trends. The defense complex and the internal security apparatus are not conservative but rather a radical departure from American constitutional traditions. At present the fundamental problem in the United States is the grave institutional threat to "life, liberty and the pursuit of happiness."

Every 18th-century American patriot would recognize what that threat is called. The word the founding fathers used was "tyranny." No more urgent task can enlist the modern dissenter than the breaking down of conventional ideas about "conservatism" and "the defense of the *status quo*." Before conservatives fully acquiesce in the new order, they should be shown how radically "un-American" it will be.

DEBTORS' POWER

DEFENSE AGAINST GOUGING

JEAN CARPER
Miss Carper is co-author with Sen. Warren G. Magnuson of a syndicated newspaper column on consumer protection and of a book on consumer problems, The Dark Side of the Marketplace *(Prentice-Hall).*

Low-income consumers in Philadelphia—at least some of them—are tired of being cheated. Organized as the Consumers Education and Protective Association (CEPA), they have taken to defending themselves against exploitation, primarily by exercising their constitutional right to picket, a tactic which Philadelphia's Better Business Bureau vice president, William A. Peterson, terms "not the American way of doing things."

Traditionally, it is true, the "American way" has been for businessmen to organize against the thieves in their midst and to prevent "unfair" competitors from siphoning off their business. That is the essential preoccupation of the Better Business Bureau, although most people think its aim is to protect the public. At the same time, the "American way" for consumers has been to sit quietly, hopeless and unorganized, and let the unscrupulous businessmen get on with their games. Or to organize into innocuous little groups of Midwestern ladies who sip tea and grouse over the lack of information on package labels in supermarkets. Or for individual consumers one by one to bring their grievances to the courts where the laws are so rigged against consumers that not even the most sympathetic judge can grant much redress.

But to organize consumers into a really effective power is indeed unprecedented, and there is no denying that CEPA, formed three and a half years ago, is effective. Without CEPA many helpless ghetto residents would have had their houses and possessions sold at public auctions to satisfy fraudulent debts in the notorious "sheriff's sales" of Pennsylvania.

One such couple is Mr. and Mrs. John Gallman, elderly and black. In 1963 a fast-talking salesman persuaded them to sign a contract for $650 to have their 14-foot-wide row house painted, tuck pointed and striped, a job worth perhaps $200. They also unknowingly signed a blank note which was later filled in for $1,632. Doggedly they paid off this ridiculous debt at $33.98 per month, until Mr. Gallman became ill and unable to work. Then the finance company closed in, although the Gallmans were only $67 delinquent, having paid $1,427.16 of the debt. The company's lawyer executed a writ of judgment on their furniture; their contract had included a "confession of judgment" clause which means that foreclosure is automatic at the note holder's whim, without court review.

The Gallmans were understandably reluctant to have their furniture, accumulated during thirty years of marriage, sold at public auction. So when the sheriff's deputies arrived to conduct the sale, the Gallmans refused to let them in. The police broke down the door, at which point Mrs. Gallman, a frail woman in her 60s, became hysterical and tried to defend her property with a barbecue fork. She was hurt in an ensuing scuffle and sent to a hospital. In the meantime, the sale was conducted and the furniture, valued at $2,347, was sold for $90 to the vice president of the finance company that had ordered the auction. In addition, Mrs. Gallman was charged with assaulting a policeman.

In the past, this would have been just one more case of consumer victimization of the sort quietly recorded almost daily in the courthouse records of Philadelphia. But it was brought to CEPA's attention and the organization collected thousands of signatures on petitions protesting the furniture auction and the assault charge. CEPA delegations visited the district attorney, asking that the charge against Mrs. Gallman be dropped. It was.

CEPA then turned its attention to the contractor who had charged the Gallmans the exorbitant price for a skimpy home-repair job. Daily, for about three weeks in freezing weather, pickets walked in front of the contractor's place of business until he agreed to lower the price to $962 and give the Gallmans a refund. CEPA pickets then moved to the Mid-Penn Discount Corporation, the finance company which had ordered the sale of the furniture. After one day of picketing its president was

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persuaded to return the Gallmans' furniture. "Although we had a legal right to do what we did," he said, "nevertheless as a sign of our regret over what happened to Mr. and Mrs. Gallman and to restore the good will our company has always had with the community, we will replace the furniture."

To grasp the extent of the gouging of low-income consumers in Philadelphia one must read the monthly newspaper, *Consumers Voice,* put out by CEPA. It carries a running commentary on consumer exploitation, with names and photographs of victims and accounts of CEPA's victories and occasional defeats. Similar exploitation of the poor occurs in other major cities, but Philadelphia is somewhat unusual, because of state laws. Garnishment is forbidden in Pennsylvania; thus, instead of attaching wages to satisfy debts, creditors attach property. This, coupled with the widely used "confession of judgment" clause, which prevents a debtor from having his day in court, produces a situation that almost invites exploitation. A consumer with a legitimate grievance is almost totally deprived of legal redress. It usually costs more to sue than the debt is worth, and the laws of Pennsylvania are stacked against the consumer. Thus lawyers are reluctant to take such cases on a contingency basis. Even a man with money to hire an attorney finds it difficult to get justice in consumer matters. For the poor and black, it is impossible. If they are to be assisted at all, it must be by organized pressure. Here follow some examples:

A young black man bought a new car, paid $1,313 on it and was completely current in his payments. Yet the bank repossessed it because, according to a bank official, they didn't like the new neighborhood in which the owner was working. Such repossession "at will," and in the absence of any default in payment, is perfectly legal, although it is obviously an arbitrary and discriminatory practice. CEPA picketing managed to get the man's car back.

Another man nearly lost his house and furniture over a $10 balance at a furniture store. Because he had not paid it promptly, he arrived home one night to find that the sheriff's deputies had broken in and sold $1,200 worth of furniture to satisfy the debt. Since some of the furniture was unpaid for and was being financed by the First Pennsylvania Bank, the bank, catching wind that it had been sold, then proceeded to put the man's *house* up for sale to pay them for the furniture that had already been confiscated by the sheriff. The sale was stopped after CEPA protested.

A third black family, Mr. and Mrs. Abram Simmons, who had been making mortgage payments for eleven years, fell behind when Mr. Simmons' work became unsteady. By borrowing from friends and cutting down on food, they scraped together enough money for the payments, but were short the extra attorney's fees incurred by their tardiness. Hoping to catch up, they sent a money order for $81.60 but still owed $91.19 in attorney's fees. The bank sent the money order back with the astounding note: "The sum is neither timely nor sufficient to stay the Sheriff's Sale. Your property was sold at sale held on October 7." A few days later the Simmonses got a seventy-two-hour eviction notice, telling them that if they were not out by the deadline, they and their six children would be "forcibly ejected by the Sheriff without further notice."

CEPA set up emergency pickets in front of the savings and loan company that had ordered the sale, and news of the injustice spread so widely that the person who had purchased the house refused to keep it and offered to sell it back to the Simmonses for the price paid. Another Philadelphia resident was so indignant that, learning the Simmonses would still need $600 in costs to get the house back, he agreed to pay them.

It cannot be said that the Philadelphia business community has taken gracefully CEPA's blunt demands and direct action, but it is learning that the group must be reckoned with. When CEPA first organized in 1966, its opening move, when it heard of an injustice, was to send a delegation to the business and ask for correction. CEPA found most businessmen were unreceptive. Some refused to see the delegations; others arrogantly shrugged off their pleas and demands with comments like: "The only thing that will stop that sale is money." The officers of the downtown banks of Philadelphia, financing some of the schemes that were wracking the ghetto neighborhood, surveyed this bunch of neighborhood men and women entering their lobby with unconcealed disdain. "Legally, we're in the right you know," they argued. "Take it up with our lawyers." (Banks and finance companies under law in all but four states do enjoy a virtually impregnable status; they are protected by the "holder in due course" legal doctrine, meaning that if they finance a scheme which bilks thousands of persons, they can still collect their money.)

Finding that businessmen were determined to stick by their legal guns, whatever the moral issue or the pain inflicted, CEPA turned to picketing. The first such demonstration was on Memorial Day, 1966. Some businessmen tried to laugh off the pickets; others called the police. Two companies succeeded in getting court injunctions against CEPA's picketing in 1967, but the injunctions were subsequently lifted. Defending CEPA, John O. Honnold, professor of law at the University of Pennsylvania, argued that picketing is an exercise of free speech, fully protected by state and federal constitutional guarantees. The judge agreed and added he could see nothing wrong with using economic pressure outside the courts, and in fact, that consumers might otherwise be powerless.

Learning that CEPA does have power because it can arouse public indignation against sharp credit practices, many businesses now receive CEPA delegates with respect. According to Max Weiner, founder of and driving force behind CEPA, although he bears the modest title of educational director: "All we have to do now, for example, with the First Pennsylvania Bank is to call them and we get an immediate appointment. There was the time they didn't think much of our group. But we picketed them three times and that made it clear we meant business."

CEPA's success can be attributed largely to the thorough and orderly preparation it makes. CEPA has

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been called militant, but that is not an accurate term, if one has violent confrontation in mind. There is no shouting, no pushing people around, no sit-ins, no fights with the police. For the most part, the pickets are Negro men and women who, before CEPA came along, were afraid even to phone a finance company or business to complain of being cheated.

Arrangements with the police department are carefully worked out before every picketing to make sure that protection will be on hand if there should be trouble. Businessmen, new to CEPA's methods, are often taken aback to discover that a quick call to the usually dependable arm of the law does not stop the picketing. Says Weiner: "Their first reaction when they see our pickets is to come out and say 'don't bother with the picketing; we'll get the cops and chase you away.' . . . But when carloads of police do drive up, talk to us and then go away, the merchant sees his defense, his shield, crumble away. We are not seeking confrontation on the picket line. We are not doing anything to make possible police intervention, such as keeping people off the street, etc. We are simply engaging in a constitutionally protected power and it is a terrific power when exerted."

The typical procedure is to set up at the place of business a sound truck from which Weiner or another member of CEPA explains the grievance and what the pickets are asking. The pickets, of which there are often no more than five or six, hand out leaflets. CEPA has found that usually only a few pickets are needed and that passers-by often take up the cause. Many Philadelphians have stormed into the offending store or written angry letters to finance companies and banks.

Strangely enough, CEPA was founded by a man who was once on the other side of the fence. Formerly a real estate developer who lost nearly everything in a 1962 flood, Weiner then joined a real estate agency where his job was to help refinance their mortgages. He was soon struck by the fact that a lot of this refinancing had to be done because the people were being mercilessly swindled. He saw the need for a consumer organization and was able to rally a few people to the cause, mostly on the ground, which is still the core of CEPA, that "if you help your neighbor recover his money or save his property, he will help you save yours when the time comes." It is not easy to keep people permanently in CEPA; once the problem that brought them in is solved they often have a tendency to drift away. However, CEPA has a strong nucleus of regulars, a membership of 4,000, some active, some inactive (everyone who registers a complaint for which he needs help is asked to become a member if he can afford the $2 fee), and seven branches around the Philadelphia area. Activity has stepped up as the organization has grown. CEPA members now walk picket lines on the average of three times a week.

CEPA is also expanding by trying to grow from a local to a national organization, and by taking up the consumer cause on broader issues. It has established a foundation through which it hopes to get grants to establish training centers for consumer leaders in other cities. These, it is hoped, would then become permanent organizations. In addition, CEPA International, a non-profit group, grants charters to others wanting to set up CEPA chapters. (Amazingly, CEPA operated on a budget of only $18,000 during 1968, counting salaries, overhead and publication of *Consumers Voice*. The income came from membership dues, contributions and the sale of *Consumers Voice*.)*

Branching out from the redress of individual grievances, CEPA envisions consumer picketing on a mass scale against a whole spectrum of consumer injustices. For example, it plans to picket the Philadelphia auto show against higher auto prices. "Imagine what would happen if people all over the country did that!" says Weiner in support of his concept of a nationwide CEPA. "We really could have an effect." He deplores the lack of real grass-roots consumer power. "The FDA comes out and says they can't protect the purity of our food in a recent report. Consumers should be up in arms over that. They should hit the streets all over the country in protest, bringing the issue to a living reality. The only way that will happen is through a national organization."

CEPA has picketed the district attorney's office to urge stiffer action against firms engaging in fraud ("We want to make these con criminals just as guilty as those who commit crimes in the street," says Weiner) and has demanded that the city council launch an investigation of fraud and exploitation among the poor in the city. The council did pass such a resolution nearly three years ago, but no action has been taken. Finally, CEPA in 1967 launched a consumers political party and collected enough signatures to get on the ballot, running candidates for city council and mayor. They got 6,675 votes. The Consumer Party is back on the ballot this year, with candidates for city controller and district attorney. Winning seems beyond hope, but CEPA would be happy if its candidates won at least 5 per cent of the votes, which would establish the party as permanent and assure its automatic inclusion on the ballot.

But whatever the results in an election, CEPA has undeniably brought consumer issues to the fore in Philadelphia, and Weiner feels that, just by running, CEPA is accomplishing its aims. The Democratic and Republican candidates for district attorney have been vying with each other during the campaign to emphasize their support of consumers. David Berger, the Democrat, running against Arlen Specter, the incumbent Republican, announced a consumer protection legislative reform program, including abolition of the hated confession of judgment clause.

The consumer movement, if there is such a thing, has never been known for its toughness or effectiveness. But when, after hundreds of years of apathy and disorganization, shy, middle-aged ladies, Negro at that, from the ghettos of North Philadelphia, have taken it upon themselves to walk up to the vice presidents of banks and demand an end to the gouging, no one can know what is in store. Consumers everywhere just might get fed up, and start asserting themselves.

* A booklet on the history of CEPA and its activities, written in response to the many inquiries for organizational advice, can be obtained from Consumers Education and Protective Association, 6048 Ogontz Ave., Philadelphia, Pa., 19141. $3.

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Tokyo: Choreography of Protest

ANGELA CARTER

Miss Carter is an English novelist. Her latest work, Several Perceptions, *won the Somerset Maugham Award for 1969, which enabled her to make her present trip to the United States and Japan.*

Tokyo

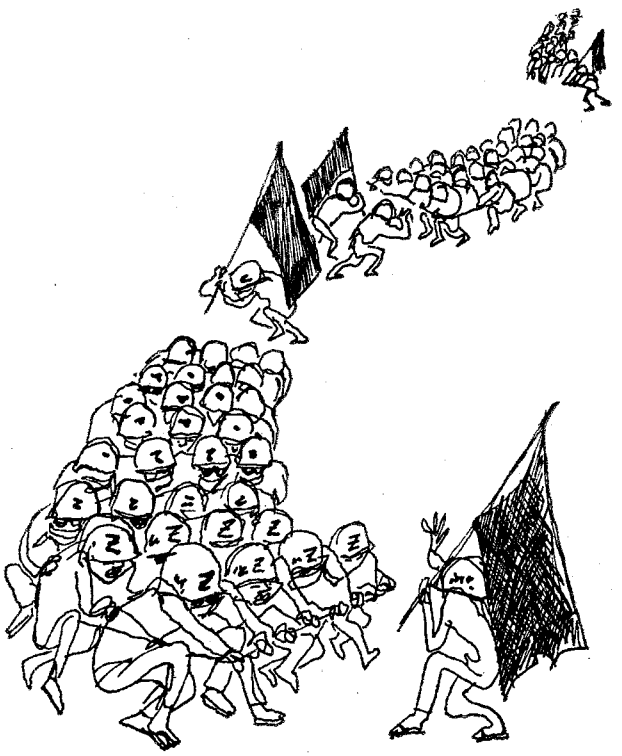
I neither speak nor read a word of Japanese so my experience of this country is lacking a dimension, and often it is like seeing reflections in a mirror. The following is an account of what I saw, as far as I can tell, about four o'clock one Monday afternoon in September at Waseda University, Tokyo.

On that day of gray skies and gentle rain, the campus had the air of a place often under attack—broken windows, barricades, etc.—though the atmosphere of seige warfare was negated by the flow of everyday university life about and around the battered buildings. In the plaza at the heart of the campus, the statue of a benign academic in cap and gown seemed to preside over a meeting addressed by a young man with a loud-speaker. The walls were painted with slogans and hung with banners, all in Japanese, most colored red. The roofs were filled with students, who shielded themselves from the rain with umbrellas as they surveyed the scene below. There was not the slightest tension, although the distant sound of police sirens and mass chanting could be heard from different directions.

The street beyond the campus was lined with willows, and the beautiful young people walking under their umbrellas between the trailing boughs seemed to have stepped out of a Renoir. Some children in baseball suits ran across the road, throwing a ball into the air, and a schoolboy in the Maxim Gorki jacket and cap which is the uniform of Japanese schoolboys went past carrying a loaf of bread, probably home to his mother.

In the midst of this harmonious urban pastoral, and without at all disturbing it, the police climbed out of a number of gray buses and assembled in ranks. They wore blue rainproof suits which may or may not have been padded like samurai armor, but which gave their bodies a Michelin-man outline. They carried shields of curved steel which protected their bodies from ankle to neck, and wore helmets with plastic visors. They all carried staves and some held glowing objects on the end of sticks which I guessed to be gas bombs. There was no rancor in their demeanor; they looked busy and happy. Passers-by moved around the police and their armored car with neither fear nor curiosity.

The crowd of spectators—spectators as opposed to uninvolved passers-by, that is—had, however, begun to thicken and now included one or two radicals, who wore steel helmets and had wrapped wet towels around the lower part of their faces. A stand selling those freshly cooked tidbits which the Japanese snack upon continually did a steady trade on the corner opposite the campus wall. It continued to sell, and had customers to buy and eat, during all the succeeding



events. One of its customers was a photographer in a visored crash helmet painted with the insignia of a Japanese newspaper who carried a small ladder around with him as he followed the drifting crowd.

If the crowd drifted, it did so in no unorganized manner, but more like those movements of pigeons from roof to roof which operate by some unguessable collective logic which the onlooker perceives but finally finds wholly mysterious. This body of students, a participant in the riot, functioned rather as a well-ordered entity than a crowd, a word that implies confusion. There was no confusion. The chief protagonists —the police and the student band soon to appear—were also single entities and performed as choreographically as a ballet and with only a little less grace.

However, one requires some word other than "riot" (which implies disorder), or "demonstration" (which implies passion) to describe this confrontation; perhaps there is such a word in the Japanese language. The appearance of the events was that of a hieratic dance, as ritually stylized as the Kabuki drama, and the impression was enforced by the medieval accouterments of the combatants on both sides. When the crowd had assembled in the campus and on the street, and as soon as the traffic was cordoned off, the chanting procession of militants made its way out of the university. I could still detect no tension.

The procession moved in an articulated fashion like a curious, segmented worm. The militants all wore crash helmets painted with slogans, and they advanced, heads down, at a jog trot. Each segment of the worm

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held a rope which went all round the group like a railing. The procession advanced down the street in a series of curves, still chanting; it circled a road island crowned with spiky palm trees, and finally approached the police, who stood behind their shields at the intersection. Above the procession waved red flags, black flags and some red and black flags, indicating the presence of Maoists, Trotskyists and anarchists of various denominations. The rhythmical chanting continued. The militants looked good-humored but a little bored, as if performing a drab chore. After it had feinted toward the police, the procession turned back into the campus; the crowd under its umbrellas drifted into a new formation to leave the way clear.

Now the massed police moved forward—an impressive spectacle which the background presence of the armored car did not render less archaic, for it could have been one of Hannibal's elephants. The nets they now produced looked more like flags and the globes on their sticks glowed a fluorescent pink. The crowd greeted them with a scattered hail of stones and some jeering, but, well-rehearsed as it was in its role of crowd, it did nothing to keep the chief protagonists apart. The chanting grew in volume. I saw the police sweep up into the campus, though the car stayed in the street. In a few moments, the police came back toward the street, dragging several students with them. There was more jeering, catcalls, cheering and chanting. The police now retreated to the intersection and, after a decent interval, the procession of militants made another, but smaller sally, not venturing so far out of the campus. It was still raining, and the air was sweet with the odor of tear gas. The girl at the snack stand continued to cook and sell. In a sidewalk café which the the procession had passed, a group of students played with yo-yos and the radio emitted Pop music. It was tea time; the waitress served free cups of green tea and I took one. This café was in a basement, so the police may have passed overhead again, I don't know. When I left the café, the streets were quiet and busy; members of the staff were making their way home through the campus and students were leaving class.

On the wall of a building was a poster advertising a film identifiable by its imagery as a documentary about the student riots in Paris. The scenes were those of the bloodstained upon the barricades, the sons of liberty —Delacroix images of the revolutionary in a Western culture that is conditioned to the existence of polarities, such as good and evil, capitalism and socialism, the *status quo* and the revolution, etc. Perhaps Japan's culture does not acknowledge, or perhaps even contain, such opposites. The *Japan Times* for September 23 said, in its account of troubles at Kyoto University in Kansai:

"The students appeared on the penthouse in a single column and started to sing the *Internationale* at 9 A.M., hoisting the banners of several Zengakuren factions. [See "Japan 1970: Year of Upheaval" by Jeffrey P. Freed, *The Nation,* October 13.] This was their way of signifying surrender, police said."

I was told later that confrontations between the radical students who occupy several Waseda University buildings and the police take place perhaps twice a week and have been doing so for almost a year.

INFORMER? *(Continued from page 461)*

closed at the trial of the "Conspiracy 8," where revisions of constitutional law are being proclaimed daily from the bench. It appears that beginning in March 1968, one Carl Gilman in the course of his job as a cameraman-reporter for television station KEMB in San Diego observed activities which he "considered to be a threat to the security" of the United States. He reported what he had seen or heard to the FBI and immediately was hired as a paid informer at $150 a month and expenses. He now had two jobs which he carried on concurrently. He was always paid in cash by an FBI agent.

Testifying in Judge Julius J. Hoffman's court, where the "Conspiracy 8" are now on trial, Gilman would give no details of his spying, except in the case of David Dellinger, the most prominent of the defendants. On July 25, 1968, at San Diego State College, Gilman was on hand to report a meeting at which Dellinger spoke. He testified that Dellinger told the audience to "burn your draft cards, resist the draft, violate the laws, go to jail, disrupt the United States in any way you can to end this insane war [in Vietnam]." The defense objected on the ground that a public speech could not be adduced to prove the existence of a criminal conspiracy. Judge Hoffman overruled the objection.

Whatever the outcome of the Chicago trial, Mr. Gilman has something to answer for. If the day ever comes when reporters and cameramen, whether working for the printed or the electronic media, get the reputation of moonlighting for Red squads and the FBI, their professions will have been dealt a staggering blow. People who are asked to pose for pictures in connection with a news event will wonder whether that is the actual purpose, or whether it is a mug shot to go into the files of the FBI. And when a reporter comes to a meeting or news conference, how will those in charge know whether he is there as a reporter or as a spy?

Later, another professional informer took the stand: Louis Salzberg, a news photographer, formerly employed by *El Tiempo*. He has been on the FBI payroll since 1967 as an infiltrator and spy. If Gilman and Salzberg are members of any guilds or trade unions, there should be an immediate inquiry into their status.

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BOOKS & THE ARTS

Tradition and Some Individual Talents

THE RISE AND FALL OF THE MAN OF LETTERS. *By John Gross. The Macmillan Co. 322 pp. $8.95.*

DONALD FANGER
Mr. Fanger, author of Dostoevsky and Romantic Realism *(Harvard University Press), teaches Russian and comparative literature at Harvard.*

Histories of literature, like histories of criticism and journalism, are made to be consulted but not read. This book, being a little of each, fits none of the patterns and is delightfully readable. No less than Leslie Stephen, to whom he applies the phrase, Mr. Gross practices a style that "represents in itself a notable mastery of experience." He is vigorously intelligent, broadly informed, complexly curious, and humane without excessive moisture.

His key term is intentionally and usefully vague. "Man of letters," as he notes at the outset, has gone through a series of meanings—first scholar, then author, then critic (often as author *manqué*)—only to drop out of usage after World War I, its functions to be parceled out in our own time among "academic experts, mass media pundits, cultural functionaries." The age that could find the term useful and even honorific—specifically, the century or so during which it continued to evolve—may thus be seen as an entity. So the investigation of the changing guises of the man of letters thus becomes, on Mr. Gross's showing, an index of the role and importance of literature in English life since 1800.

It is a vanished age he treats, characterized by a particular set of attitudes toward books and words and culture. The Everyman Library was hardly its chief or sole representative; still, the aura of its original decorations and mottoes (*"Precious life blood of a master spirit . . . holdeth children from play . . . unacknowledged legislators . . . for that they come home to men's business and bosoms"*) is that of the man of letters himself, and may suggest in its remoteness how fast and how far we have moved.

Cyril Connolly (in *Enemies of Promise*, a book less unlike the present one than might appear at first glance) claimed Addison as the first man of letters, on the basis of the style he developed for the entertainment of the middle classes, with its "gentle irony, gentle melancholy, and gentle inanity." If Mr. Gross does not go back beyond the 19th century, it is because he is not so exclusively concerned with style. His subject is less literature than literary culture as it burgeoned after the founding of the *Edinburgh Review* in 1802, inaugurating an age when writing *about* literature attracted the widest audience and engaged an unprecedented number of talents, for whom an unprecedented number of outlets came into being. And the motley group of men he presents are there either because they were molders of educated opinion, or reflectors of it, like Francis Jeffrey of the *Edinburgh*, brilliantly exhibited as a man who brought new dignity to the whole notion of an editor—and at the same time as "a classic instance of the critic who comes unstuck through trying to play safe."

Familiar and half-familiar names jostle one another in Gross's gallery—Carlyle, Thackeray, Hazlitt, Arnold, Lewes, Lockhart, Bagehot, Stephen, Bennett, Gosse, Squire, Saintsbury, Raleigh, Orage, Eliot, Leavis—along with oddities like the Rev. George Gilfillan, author of the poem "Night" (in nine books), champion of the "Spasmodic" poets, tireless annotator of the British poets (in 48 volumes), and author of the best-selling *Bards of the Bible*. Gilfillan finds his place here not because of his quaintness but because of what his popularity recalls: that he represented a considerable audience "which still tended to think of poetry chiefly as an adjunct of religion, which frowned on fiction, and which in the not very distant past had been opposed to the idea of secular literature altogether."

The audience is the point. But, aside from unearthing circulation figures, there is little in the way of frontal attack that the investigator of a reading public can manage; he must, like Gross, by indirection find direction out. So, characteristically, after being invited to see Gilfillan as "the MacGonigall of criticism," any page of whose work, "opened at random, will yield its crop of absurdities," we come to the other side: "And yet if he was a preposterous figure, he was not exactly a contemptible one. He throbbed with the libertarian idealism of the Mazzini-Kossuth epoch (in America he would surely have found his niche as an Abolitionist), and refused to be intimidated by great names when his beliefs were at stake."

The same approach is applied to most of the figures here scrutinized, major as well as minor. Limitations of mind and character are trenchantly noted, but so are the particular skills and achievements that accompanied them. Different perspectives are frequently tried on the same figure, not out of uncertainty but in the interest of fairness and wholeness. A case in point is the resolutely non-academic treatment of Arnold Bennett, whose critical articles seldom find a place in the surveys written for college students. "And perhaps there is nothing very much to say about them, except to record that they have *impact*, more impact than a lot of the things which do get mentioned. Abrupt enthusiasm, the unconsidered opinion, the conversational zig-zag: these are what open readers' minds to books, at least as often as the formal critique." By the same token, Bennett's career, so easily dismissible as an instance of how commercial ambition can ruin a talent, turns out to be less paradigmatic than the standard view would have it. "The psychology of an artist cannot be reduced to the simple contrasts of a morality play." Bennett's deplorable grossness is actually what makes the finesse of his best works possible. As for easy schemes of rise and decline, "a creative talent . . . is usually more resilient than over-scrupulous critics will allow."

Gross as a man of the 20th century may be suspicious of wisdom, but he is not afraid of it; nor is he tempted to confuse it with cleverness. A personal presence informs his writing (inevitably, given his belief that "in criticism temperament usually counts for as much as ideology"). Rather than forcing or obscuring judgment, temperament adds a dimension to it. Much scholarship has gone into this book, but the design is cheerfully flexible; and the propensity of scholarship to assume rather than establish the importance of its projects is nowhere felt.

Eight chapters sketch the ambience in which the man of letters developed and the ways in which he flourished in 19th-century England; each considers a number of representative figures, defining qualities, tracing careers with a shrewd eye to submerged politics, and taking care to salvage the writing that possesses lasting value from what is deservedly forgotten. "The Rise of the Reviewer" details the establishment of

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the first great English reviews as a new and serious cultural vehicle, open perhaps to padding and pretentiousness, but at least free from the pettiness and corruption then common. Their success—evidence that a new audience existed, which the man of letters was henceforth to enlighten, admonish, appease and reflect—surprised even the founders. Jeffrey, Hazlitt, Hunt and Lamb are the main figures here.

"Heroes and Men of Letters," with particular trenchancy, presents Carlyle, Mill and Arnold as questers after an ideally maximal role for literature as a civilizing force. The pages on each are models of fresh observation and felicitously rendered judgment. Considering the excesses of Carlyle's style, for example, Gross goes on to observe:

> A mere propagandist could never have devised so potent a style. But neither could a mere stylist. Although there were times when Carlyle apologized half-jokingly for his expletives and his syntactic oddities, he knew what he was doing when he sent the words swarming over the barricades of conventional usage. "The whole structure of Johnsonian English breaking up from its foundations—revolution there as visible as anywhere else!" Unprecedented social realities called for new modes of speech.

"The Higher Journalism" next centers on the *Saturday Review* and the *Westminster,* with Lewes, Bagehot and Leslie Stephen as examples of mid-Victorian literary journalism at its impressive best. "Some Liberal Practitioners" then offers a series of case studies in the combination of literary and political careers; the names here are less familiar—Morley, Harrison, Birrell, Paul, Robertson—representative Victorian figures in whom not even Gross, for once, seems able to find more than an antiquarian interest.

"The Bookmen" is a different affair. Here are the bibliophiles, "vignettists, gossipers in libraries, adventurers among masterpieces," who came to the fore at the end of the 1870s, offering in their dilute aestheticism a relief from earlier earnestness and didacticism. The enormously prolific Andrew Lang is damagingly dissected as a cultivator of the fourth-rate opinion, alongside the prodigious Saintsbury, much more gifted than Lang but like him an example of how far erudition may be from intellect. Both, moreover, are significant in the way a concern for style was joined with an extreme conservatism in politics—a conjunction carried to the point of caricature by their friend Henley, whose case moves Gross to speculate: "It may be that those whose first aim is to 'appreciate' the world are the natural enemies of those whose first aim is to change it; it may be that, pushed far enough, the cult of Beauty inevitably merges with the cult of Violence in a common cult of the Irrational." Only the stability of English life, he suggests, kept the phenomenon from being ominous—as it was to become elsewhere soon enough.

"Popular Approaches" deals sympathetically and amusingly with responses—perhaps the most notable of them the founding and success of the Everyman Library—to the fact that "between 1880 and the First World War there must have been proportionately more popular interest in authors and the world of authors than at any time before or since." And the treatment of the last decade of the century ("Edwardians") extends the point in a different way, attacking the stereotype of the Decadence and reminding us that "the Nineties" were

> only a very small part of what was in fact going on in the 1890s. They led on to a period dominated by writers who were closer to the Early Victorians than to their immediate predecessors in their readiness to enter the public arena as preachers, debaters, entertainers. However critical of the established order, men like Shaw and Wells, Bennett and Chesterton, put their trust in a popular audience; they might promulgate minority opinions, but not the idea of a minority culture.

All this changes after the war. The chapters called "Modern Times" and "Cross-Currents of the Thirties" attempt to chart the spin-offs from a disintegrating tradition. They are less successful, I think, than what has gone before. The same verve and incisiveness inform them, but the material is less tractable; selections and exclusions are bound to raise more questions; and the aphoristic placing of talents and movements, while still arresting, seems sometimes arbitrary, because there is so clearly more that needs to be accounted for.

"Modern Times," for example, begins with half a dozen pages on Eliot—major poet, eminent if evasive critic, and indifferent editor—whose achievement for Gross's purposes consisted mainly in teaching readers "to mistrust their own judgments," and in setting up the analytical New Critic as replacement for the old-fashioned man of letters. No discussion of Eliot's cosmopolitanism, of his activities as publisher, or of the very force of his presence on the literary scene. Instead, we hurry on to consider J. C. Squire and Desmond MacCarthy, diversions (as Gross admits) from "the real action" that was "going on elsewhere." Middleton Murry is well treated in 7 pages, Orwell rather spottily in 5. The subject is getting out of hand, splintering in a way for which history may be more responsible than the author. One looks in vain for a discussion of Hulme or Pound; it isn't hard to imagine technical grounds for excluding them, but the sense of loss remains. And later when Auden, Spender and (I should think) Cyril Connolly fail to find places in the sketch of the thirties, a little grumbling may be in order.

Not for long, though. The distracting rumble of artillery fire can already be heard at the end of the Orwell section with its praise for the way much of his criticism remains memorable "because it is the outcome of deeply-felt experience, not of academic debate." Those last two words introduce one of the longest discussions of a single figure in the book, 16 pages on F. R. Leavis, very much in the spirit of the emperor's new clothes. The damaging points are, on the whole, made to stick—"his frequent air of having triumphantly demonstrated what has merely been strenuously asserted"; the carefully fostered impression in the essays "of a literary world full of twittering playboys, where only Leavis and a few others really *care*"; the quasi-religious revelation of *the* great tradition; and the rest. There is interesting specula-

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tion on why Leavis' work should have seemed so peculiarly charismatic, but there isn't much concrete discussion (as opposed to assertion) of his influence. From this side of the Atlantic, at least, one may agree that the man is more scantily clad than he seems to think, but wonder at his being taken for an emperor.

No matter; it makes rousing reading, and is followed by an epilogue that manages to pose acutely a number of very important questions (and could have posed more if the changing nature of the *writer*, or some recent theories of *écriture* had been admitted to consideration): Doesn't literature itself seem less important than it once did? Isn't science attracting more of the best creative talent, which might formerly have gone into letters? How can the critic as nonspecialist survive with his pride intact, knowing "that there are people who know more than he does about things which he is supposed to know about"? Isn't it likely that our attention span is getting shorter, and the habit of reading itself further threatened by competitive cultural attractions such as the cinema?

These questions bear on the position of the "unattached critic," the serious journalist like Gross himself, who seeks to keep viable the social role whose history he has been tracing. The answer, and ground for hope, centers on the very real residual advantages of the role and on the cultural need our "unattached critics" seem uniquely to supply. What is admirable in academic work Gross is ready to admire and in good measure to practice himself. But the limitations of academic questioning, and the tendency of scholars to write for one another plainly alarm him. In a chapter called "Early English," which details the incorporation of English literature into English universities, he lists some of the problems:

> How do you organize the wholesale teaching of imaginative literature without putting the bird in a cage? . . . Candidates will be expected to show a knowledge of human nature—which, human nature being what it is, represents an open invitation to wander on at random, to drain the subject of intellectual content. And since nobody wants that, a strong countervailing current is inevitably set in motion. Teachers turn with relief to the small, hard, ascertainable fact; they become preoccupied with sources, or analogues, or backgrounds, or textual cruces [!], or other interesting but secondary considerations.

True enough—but for those whose nerve fails, or whose standards sag, or whose talent falls below the first-rate (and Gross cites many such among his men of letters), there will always be low roads of this sort, in whatever profession.

Nonetheless, it is well to be reminded that nobody quite knows what "purely literary research" means, or that "the fundamental uncertainties [in English departments] about what the subject is, and how it should be taught, have not by any means been dispelled by the increase in academic numbers or by advances in scholarship." And the professional journals can hardly be said to encourage the sort of honesty we find here:

> Most critics with any life in them must surely be visited by moods of *Selbsthass* in which every additional learned article, every new critical theory, seems just another nail in the coffin. What is it all ultimately for? How can anyone who tries to keep up with Wordsworthian studies find time to read Wordsworth?

But the point is not to attack academic criticism as such, for it has already been admitted that a great deal of it "is of a much higher order than most literary journalism, past or present." The point is simply to insist that a set of important problems not be ignored just because there are no easy answers to them.

Such services are not the least of this book's claims to attention and respect. By his combination of learning and uncommon sense, literary sensitivity and social awareness, nuanced judgment and provocative speculation—indeed, by the very idiosyncrasy of his method—Gross has achieved a number of things, any one of which might have entitled him (and us) to great satisfaction.

He has done a broad and original job of historical reassessment. He has, partly explicitly, partly implicitly, opened the door to further explorations; e.g., of the man of letters in America, past and present; of the differing attributes of the role in 19th-century France, Russia, Germany and elsewhere; of the relation of politics and literature in many parts of the 20th-century world. And, by example even more than by argument, he has made good his concluding claim that any healthy literary tradition, whatever it may call him, will continue to need the independent man of letters.

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Sapsuckers

HUEY LONG. *By T. Harry Williams. Alfred A. Knopf. 906 pp. $12.50.*

ROBERT G. SHERRILL

If you were asked to name the one Southern politician about whom it would be absolutely impossible to write a dull or tedious book, you would say Huey Long. Right? Well, Prof. T. Harry Williams, who teaches history at Louisiana State University, has achieved the impossible. He has written an incredibly tedious and, before the last of the 906 pages has fallen, an excruciatingly boring book about Louisiana's famous Kingfish.

Long first made his name in Louisiana politics as a utility commissioner who forced a rebate out of a telephone company and made a tentative effort to bring Standard Oil into line. From there he moved to the governor's chair (1928-31) and then to the U.S. Senate, where he offended The Club by his filibustering. In 1935 he was mortally wounded by a crazy physician who shot him as he walked through the Louisiana capitol corridors. Long was 42. To many of the common people of Louisiana he is still sanctified as "St. Huey," but his legend is withering outside the state just as his political dynasty within the state is almost defunct.

Williams now offers a monument to that career.

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The author's vices as a biographer would be virtues if he were an archaeologist. He is endlessly patient in digging. He has been going around Louisiana, with some fast excursions into Washington, for the past thirteen years, recording interviews with 295 persons who knew or knew of Huey Long, or are willing to pretend they did, and reading every scrap of information about his subject. This Germanic researching is quite all right as long as you don't unload all your debris on the reader. But Williams seems to have done just that.

For instance, in 1933 old Huey, a cutup when he was drunk, was at a party at the Sands Point Bath and Country Club in New York and something happened in the men's room that resulted in his getting slugged in the eye. Apparently Huey had come up behind a man standing at a urinal and had tried to pee through the man's legs. His marksmanship was off, so the man's pants were drenched. The victim turned around and clobbered Huey. That's a funny story and it deserves telling, but it doesn't deserve the 7 pages Williams gives it. Nor do we need to be treated to the medical details of the operation performed on Long after he was shot, including the catheterization of his bladder.

Williams continually bogs down in this way because he has quite clearly lost perspective (as, indeed, has the entire state of Louisiana) of the present stature of Huey Long. This is understandable. In a state that is notorious for political thievery, bureaucratic rot, social stagnation and educational mediocrity, it is pretty startling when a politician comes along who steals somewhat (only somewhat) in the manner of Robin Hood, who makes the bureaucracy at least rotten for a purpose (road building; they grafted a lot of money out of the program, but at least they built roads), who sharpens the working class's awareness of the economic issues of the state, and who pumps money into the university system. Long did all that, and with his great flair for efficient demagogy he set a pattern that many Southern politicians, including George Wallace, have attempted to imitate ever since.

Historically Long was an important Southern politician. And because his soak-the-rich message was voiced at the bottom of the Great Depression he *briefly* became an important national politician, attracting followers all across the country to such a degree that he was viewed as a potential splinter threat in the 1936 Presidential election. Long apotheosized the Southern dictator, quite literally and quite specifically right down to the swarm of gun-carrying toughs who always accompanied him and who were willing to beat up citizens who exercised the American right of talking back.

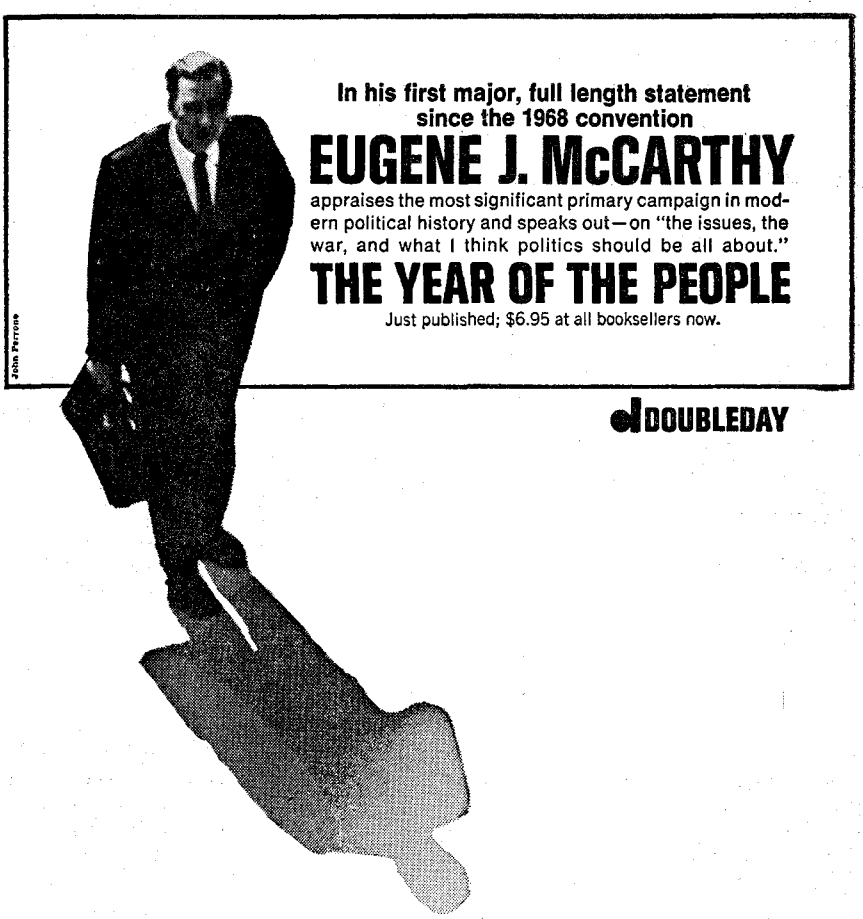
As Williams points out, when Long left the governorship of Louisiana and became U.S. Senator, his hold over the state government did not lessen but increased. "In 1932 he secured the election of a completely compliant governor, along with his whole slate of other officeholders, and thereafter he increased the number of his followers in the legislature until he commanded more than a two-thirds majority in both houses, which enacted any law he asked for. . . . He would storm back from Washington and, through his governor, summon without advance notice a special session of the legislature. At these numerous meetings laws would be passed at a breathtaking rate and without much regard for such parliamentary niceties as committee hearings or floor debate." (This last mentioned routine is nothing unusual in Southern legislatures.)

"Controlling the executive and legislative branches," Williams writes, "and influencing the judicial branch—he campaigned to elect sympathetic justices—he would have dominated the whole power structure of the state. If the system had been perfected, and if it had endured—which is the bigger 'if'—it would have been the most daring and dangerous concentration of power ever established in an American state government."

Maybe. But even if it had been, Long was still not so important to the South or to the nation that we can today get much excited about what happened forty years ago in the backwashes of that region, at least not so excited that we will happily slosh through interminable accounts of old legislative battles and old political campaigns that seem to have no focus beyond the peculiar tribal mores of that state.

This is the fatal defect of the book: Williams has made little effort to lead the reader to any broader conclusion than the conclusion of one tarnished political career. Reading this book, one does not feel any necessity to pause and contemplate the mixture of individual perversities and regional perversities that frustrated this man who might have been a truly great leader. And one is not even prompted to say, "Here is the culmination of the tragic farce of American politics." Indeed, one comes away from this heap of monotony with no brightening generalizations, no afterthoughts, none at all.

Even less forgivable, Williams does not entertain the reader. The triumphant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bad joke of Southern politics escapes him. He supplies all the material, but no punch lines. To be a good biographer one must be not only a good historian, which Williams certainly is, but also a passable poet (preferably of the Chaucerian school), receptive to poppycock and yarn and myth as well as fact. Williams doesn't know what to do with myth except to worry about it. He fusses around with the question of whether Long actually said he bought legislators like sacks of potatoes. Who cares whether or not he said it? He *would* have said it, and therefore the myth is as good as a fact. It was the poet in A. J. Liebling that made his biography of brother Earl Long so infinitely better than this thing; it was the master poet in Robert Penn Warren that made his *All The King's Men*, despite its fictional inaccuracies, the biography of Huey Long that will be turned to by those who want a feel of the period.

The book is not totally without revelations. It is interesting to learn, for instance, that Long's reputation as a battler of Standard Oil Company was not merited. That is, he apparently was more interested in using the Standard fight as a political theme (as Southern politicians use the Supreme Court theme) than in actually making Standard Oil change its ways.

It is also interesting to learn that Long's political support at the beginning came in significant measure from the local aristocrats and was not drawn solely from the unwashed. It is the kind of revelation that plays a nice harmony to something his son, Russell, an oil millionaire, said recently when he accused *The Washington Post* of smearing him and offered to pay the newspaper $500 if it would print "what my hometown bankers say about me." Southern Populism often shows its true nature in this fashion.

And while on the subject of Russell, I'll say also that it is interesting to have more information about Huey Long's disdain for his kinsfolk. "This state's full of sapsucker, hillbilly and Cajun relatives of mine," Williams quotes Long as saying, "and there ain't enough dignity in the bunch to keep a chigger still long enough to brush his hair."

HAIR

I want never to shave again, never
to hand myself over to barbers.
I want to walk in my own meadow
of uncut beard and hair: grass
grown so long it trails behind,
falls before, encircles me,
and covers up the street
until wherever I am is a Roman field
beneath which lies a buried city—
this city which takes
only my presence
to bring it rest and silence.

JACK ANDERSON

Cutting Tools and Acid

THE INDIGNANT EYE: The Artist as Social Critic in Prints and Drawings. *By Ralph E. Shikes. Beacon Press. 439 pp. $12.50.*

ELMER BENDINER
Mr. Bendiner, writer and editor, is the author of The Bowery Man *(Thomas Nelson).*

The glory of the modern world is the rebel. It is he who proclaims the existence of man's will—not the will to seek out a better hole in which to burrow but the will to remake the world. Rebels are eternal because revolutions are evanescent. The rebel who seeks to create a grand design in place of moral disorder is, in his way, an artist. And the artist—whether he caricatures the fat tyrant squatting as a blemish on his world or seeks to abstract the harmonies obscured in natural forms or in his own subconscious is, in his way, a rebel against chaos.

Albert Camus, citing Van Gogh's remark that the earth is one of God's sketches that turned out badly, goes on to comment that "every artist tries to reconstruct this sketch and give it the style it lacks." The true artist works in this passion for transformation. And without "an indignant eye" his work becomes mere decoration.

Ralph E. Shikes has presented here a gallery of artist-rebels. He has set them in their time and by doing so has shown that topical art—if it is true art—transcends its time and becomes perpetually contemporary. Shuffle the pages of this chronological tale of rebellion so that you view Reginald Marsh's scene of the depression of the 1930s after Hogarth's prints of Gin Lane; compare the "Sleeping Woman" of Picasso with the "Temptation of St. Anthony" by Pieter Bruegel the Elder. Surely these are spiritual contemporaries.

The timeliness of art is dramatized in this collection of more than 400 prints woven together in a text that is its own chronicle of the history of the modern Western world, a world of wars and martyrdom, of tyranny and revolution, of high hopes and prodigious defeats, of whores and heroes. Shikes's commentary relates each artist to his times and his targets. The text never overshadows the prints themselves. Shikes has let the artists themselves proclaim their messages, aspiring only to set them in proper frames and to light them well. That he has done superbly.

He has set upon himself two limitations. He has chosen only art that constitutes "social or political criticism of specific ways of life, institutions, conditions or circumstances, not of man's general spiritual malaise or discontents with his own psyche or general statements of man's fate." And he has limited himself in medium, choosing only graphic art—prints or drawings that could be reproduced in quantity to work some social purpose. The book is a collection of socio-political criticisms that outlive their immediate targets and transcend their time and purpose. The reader will relish what is here, for Shikes has taste as well as understanding. And he shares the indignation of his artist-rebels.

While the Spaniards raped and looted Holland and the Reformation thundered against the iniquities of the Papacy, Pieter Bruegel the Elder peopled his landscapes with surrealist horrors. He deflated the glories of war with his devastating print, the "Fight of the Money Bags and the Strong Boxes," and drew Justice as a blind whore presiding over tortures. Two centuries later, when the French invaded Spain, deaf Goya made heart-sickening prints of corpses, phantoms and grinning demoniac priests. A hundred years later, the Germans invaded France. The French suppressed their own rebels and Daumier saw peace as a skeleton with a bonnet piping a tune in a lifeless landscape.

Rouault working in the aftermath of the First World War devised his own stained-glass skeleton to dramatize the eternal comment: "Man is wolf to man." The apocalypse was drawn by Germans like Grosz and Dix, by Americans like Peterdi, Shahn and Baskin, and most devastatingly by Picasso in his vision of ancient symbols at Guernica.

Tyranny was chronicled by Urs Graf in the 16th century, lampooned by Gillray in the 18th century and by that Mexican artist of skulls and skeletons, Posada, in the 20th.

Yet the protests are not all horrendous views of death and destruction, for these rebels use the rapier as often as the broadax. The wit of Cruikshank and Gillray, Daumier and Nast and even

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Bosch is not somber. They satirize the foibles of fools and knaves. The fools have changed only their costumes and the foibles have not changed at all. The poor are in rags and the rich are bloated in both Holbein and Grosz. Since the end of the Middle Ages we have all been passively afloat on Hieronymous Bosch's "Ship of Fools," crying for a helmsman.

But the collection finally is neither dismal nor abject; it is a chronicle not so much of horrors as of the resistance to horror. Shikes's band of rebels used their acid and their cutting tools against the manifold idiocies of modern human society. These artist-rebels—like the rebel-artists, the world revolutionaries, who are outside the scope of this book—are our redeemers. *The Indignant Eye* is more than a homage to dead heroes; it brings them to life again, providing a sounding board for their deathless jeremiads and their delicious witticisms against the common enemy. Most of them speak plainly to the 20th century for they speak with our voices.

ART

LAWRENCE ALLOWAY

Ten years ago, the Museum of Modern Art put on a big theme show called "New Images of Man." It was arranged by Peter Selz (author of a book on German Expressionism) to promulgate the notion that the human figure was *returning* to art after exile during the temporary tyranny of Abstract art. In the 1960s Mr. Selz was riled to discover that, while the Expressionist revival he demanded did not take place, the human figure smiled, bounced and shone in Pop art. Selz's next attempt to further blood-and-guts art was an exhibition of Funk art at the University Museum, Berkeley, a couple of years ago. To condense matters somewhat, Funk is an Expressionist revival in terms of comic-strip imagery; or, the grandeur that was Baskin plus plastic paint. The exhibition now at the Whitney Museum is heir to both Mr. Selz's monsters: its title "Human Concern/Personal Torment."

Mistakenly, I think, the organizer of this show, Robert Doty, took it as his duty to prepare as broad a base as possible (i.e., repeat Selz). Thus he includes Leonard Baskin's academic Mannerism, David Smith's left-wing allegory of the 1930s, and Eugene Berman's Neo-Romanticism derived from Surrealism but vitiated by theatrical décor and costume design. He makes room for the gross Cubism of Rico Lebrun—a stew of bones in gravy, Ivan Le Lorraine Albright's overestimated deliquescence and George Tooker's symbolic realism (a psyched-up 1940s version of the preceeding decade's social protest). The exhibition rests, therefore, on a diffuse foundation of old rhetorics whose common factor is merely that they are non-Abstract. Thus when, in the course of this exhibition, one reaches the work of Jim Nutt, whose tough, urban, polluted anatomies are excellent, the sharpness of his comment and the snap of his handling are slightly muffled by the dreary company.

Doty's introduction to the catalogue is littered with the detritus of commitment arguments like a Pacific beach when the fighting has moved on: Sacco and Vanzetti, "the growing power of the Nazi terror" (i.e., the 1930s), Goya, violence in the mass media, Camus. To these set topics are now added imperialism and police brutality. Doty would have done better, probably, to concentrate on the new form of protest because it has a different platform and different targets from earlier protest art. Unfortunately, he decided that the function of his show should be the support of righteousness in American art. It is the Ugly American as Curator.

The text of the catalogue is an analogue in verbal form of the ambition and weakness of the show. See how Doty argues for the artist as America's conscience. After citing "the *dichotomy* of

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affluence in America and terror in Southeast Asia" (my italics) he goes on to say: "the irony of the situation was not lost on Peter Saul, Wally Hedrick, Duane Hanson, and Sigmund Abeles." (Obviously, Nick Fury, John Wayne, Captain America and Gen. Curtis LeMay have met their match.) Consider the historical drama, and the inaccuracy, of the following: "Christianity looked askance at the nude and the medieval artist treated the human body as a subject of shame and derision." (What about manuscripts of the 13th to 15th centuries—ten survive out of many more—which were packed with sympathetically depicted secular nudes to illustrate a remarkably long-lived instructional poem about the medicinal baths at Pozzuoli?) This example of the generality of Doty's thought enables one to formulate the theme of his exhibition as something like: The Human Condition as the Subject of the Engaged Artist in America in the 20th Century.

One problem of humanist revival programs arises from the acceptance of a particular moment of art history as canonical. For this show, it is the style represented in Europe in the 1940s by Jean Dubuffet and in America by, for instance, Jackson Pollock's black paintings of 1951, in which the presence of imagery was organically related to the flow of paint. Type-figures, such as anonymous heads, bodies characterized only as male or female, young or old, constituted an evocative iconography continuous with the behavior of materials. This phase of *natural* image making, which had about it an existential immediacy, was the origin of much return-of-the-human-figure polemic. Types, embodied in materials and indistinguishable from that structure, lent themselves very well to the alienation-dehumanization-protest cluster of ideas common to both Selz and Doty. In the present show Alfonso Ossorio and Robert Mallary (work of the early 1960s) both make eloquent use of typologies close to the physiognomy of materials, but this solution does not, in general, retain its former potency.

Partly as a result of Pop art, partly as a result of new interest in the function of specific data in realism, protest art now requires, at the least, a sense of the present scene. General gloom or intimations of cosmic terror are not enough. Topicality is irrelevant neither to "concern" nor to "torment." Duane Hanson's "Riot" is interesting: the work has a "current affairs" subject (blacks and whites fighting), but the object, six life-size figures, projects the eerie mixture of stasis and familiarity that belongs to all good simulacra. On the other hand, Joseph Hirsch's "Triptych," though topical in iconography (dogs, gas masks, girl victim, wooden barrier, Statehouse steps) is realized in a dreary version of Jack Levine's *schmear*, dragged out to CinemaScope proportions. Thomas Blackwell's "Gook" is topical (what Mr. Doty calls "terror in Southeast Asia"), but the work collapses into a welter of Expressionist assemblage and Rosenquist-influenced paint patches.

My impression is that none of the works at the Whitney functions as political art with half the efficacy of those produced by the Equipo Realidad and the Groupe Cronica. These are alliances of European artists who collaborate on single works; they combine a sense of what can be stated visually with what needs to be said. Most of the Whitney's show is Expressionist revival or Funk art, and Funk carries a good deal of American Gothick with it, that nightmare-of-America imagery which is as often autobiographical as political.

Several relevant artists are missing, a serious weakness in so doubtful a show. Leon Golub, who has extended the Abstract Expressionist marriage of pigment and figure to a new scale in his recent work, is not represented. Nor is Joseph Kurhajec, though his fetishistic sculptures carry a much more evident charge of "concern" and "torment" than do those of Lucas Samaras, three of whose early boxes, looking a bit diminished in this context, are included. Neither Golub nor Kurhajec has dealers, so perhaps there was no one to nudge Doty. Claes Oldenburg is also omitted, though his early work is highly relevant. (A cheap imitation by Marty Greenbaum of Oldenburg's ray guns is no substitute.) Oldenburg's work may not be easy to borrow at the moment, but not everything is in his retrospective at the Museum of Modern Art. Rosenquist is absent too, the Pop artist whose space sense and iconography are closest to the present *sensibility* of protest.

In the 1930s and early 1940s there was a program for protest; and reform had specific goals. In the late 1940s and 1950s the impulse to protest was transferred from political scenarios to archetypal images and universal intimations. At present protest is a sensibility and an occupation, the latest profession, a kind of cool. The demographic images of the shape of crowds, achieved by Equipo Realidad and the Groupe Cronica, catch this mood admirably. Doty has failed to find its American equivalent.

HUNTERS
commas

fall
from the sky
AMEEN ALWAN

THEATRE

HAROLD CLURMAN

As directed by Gene Frankel, Arthur Kopit's *Indians* is an interesting play. There is a semantic ambiguity in this. I might have called it "a production," but then I would have had to differentiate sharply between the text and the performance. That is common practice when we speak, for example, of *The Three Sisters*—which I shall do in a moment. But a theatre event is not two things; it is one: what we perceive with eye and ear at the same time. In short, a play.

That is particularly true of *Indians*. Kopit's scenario is freshly conceived to show how the American Indian was swindled and slain (the remnants sequestered), while the whole shameful process was turned into colorful myth in Wild West shows and movies. In these, the Indians were either glamorized or traduced for audiences who didn't give a damn for anything but thrills.

There is a documentary base to Kopit's stylized account. The facts are presented through a double vision: on the one hand, Buffalo Bill's destruction of the buffalo which was the red man's food, his growing sympathy for the Indians, and his unsuccessful attempt to have the government redress the wrongs that were done them; on the other hand, his showman's desire to cash in on his career through the extravaganzas he packaged for cheering thousands all over the United States and abroad. The two aspects of the story—the cruel reality and the commercial use to which he put it—are deftly interwoven in Kopit's dra-

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matic scheme. What is lacking is eloquence; the writing is thin.

Kopit's plan, to be fulfilled, also needed the flesh of a stirring theatrical embodiment, and it did receive that from Gene Frankel. The result is a play worth seeing. It has the special merit of giving the Broadway stage a "new look." I have heard the complaint that *Indians* is overproduced. The masks and figures which are the spirits of the dead that haunt Buffalo Bill's troubled conscience, the flashes of Indian dances which were performed in his Wild West show, the bucking bronco on which he prances onto the stage, the actors in buffalo skins, the strobe lights, the dummies of the white hero and two of the eventual victims of the army massacre, Sitting Bull and Spotted Tail—some spectators have thought all these excessive. They are in fact essential. Without them there would be no more to *Indians* than a bald historical recital. All Frankel's effects are integral to his creation and constitute its contribution to our stage.

Still, the show rarely becomes enthralling. There are two reasons. One I have mentioned—the lack of verbal power. The other is that, though Frankel's staging is well calculated, visually engaging, rhythmically propulsive, its imaginative and physical resources are limited by comparison with what the scope of the play might have been. When I say this—such a production in our presently restrictive theatre economy is surely very costly—I am thinking of what certain directors in Eastern Europe or even a Guthrie or a Brook might have been permitted to do with the offered opportunity.

While much better than serviceable, most of the acting lacks either epic or comedic stature. Stacy Keach works devotedly, strenuously and well as Buffalo Bill; even more impressive is Manu Tupou as Sitting Bull (his confrontation with the U.S. Commission has the needed wildness of savage pride), and in his baffled and tormented fanaticism Sam Waterston strikes the right key as John Grass, the spokesman for the Standing Rock Reservation.

All in all, a bright evening in the theatre; in the light of what our theatre has to offer nowadays, a momentous one.

There are some good moments in William Ball's production of Chekhov's *The Three Sisters* which is the final American Conservatory Theatre production at the ANTA Theatre.

Ball desires above all to be *theatrical*—a worthy ambition for which he has a distinct talent. But theatricality is not ornament to decorate, supplement or substitute for a text. It is illumination, an added dimension to the implied, stated or potential meaning in the text, creating a new entity for the stage. It is therefore to be judged by the same standards of vitality and significance that we apply to the text itself.

To improve Chekhov's "showmanship," Ball tampers with his text in ways that vulgarize it. One example is the treatment of the character of Vershinin. The subordinate officer, Baron Tusenbach, says of him: "He pays calls and says everywhere that he has a wife and two girls"; when Vershinin in the Ball production enters for the first time and on every other occasion when he is introduced to a new person he automatically blurts out, "I have a wife and two daughters"—which makes him stupid, the one thing Tusenbach says Vershinin is not. In Chekhov's play Vershinin refers to his wife and two daughters only when it is appropriate to the situation. Ball's device gets a laugh; it's a gimmick. There are too many laughs of this kind in the production. That is not what is meant by Chekhov's humor. Ball makes "points" that are often clever but they damage the emotional line of the play, its true tone and value.

Another instance of this is with Tusenbach himself. He is said to be ugly; in Ball's production he is made to look a fright. Tusenbach, as his name indicates, is a Russian of German origin which may explain his romantic idealism (and perhaps masochism), but it is not necessary to give him a thick German accent. Stanislavsky was partly French; he didn't speak Russian with a French accent!

Separate scenes involving various characters in moments of confession are staged before other characters who are extraneous to these intimacies. People in this play, through delicacy, hide from one another rather than expose themselves.

It may be argued that such directorial liberties can intensify or improve a script, as cutting often does. New interpretations of "classic" texts are now and then valid, providing greater insight into them. (The Theatre at the Gate production of *The Three Sisters* in Prague—though it displeased the Russians and troubled me a bit—is a masterly one and theatrically admirable.) Ball's besetting sin is that he makes all his plays, regardless of their style, frisky; he insists on gaying them up. It helps *Tiny Alice*; I doubt very much that it helps *The Three Sisters*.

There are a few sensitive performances in this A.C.T. production: Angela Paton as Olga has quality, so too has Kitty Winn as Irina. Paul Shenar, a handsome man, is more interesting in character parts than in "straight" ones (though he served *Tiny Alice* better than did Gielgud). If he were not so absurdly made up, and if the eccentricity of his Tusenbach were less stressed, his interpretation might prove genuinely touching. William Paterson's Chebutykin looks like two different persons who don't get along very well together: a despairing Russian and a rather debonair English clubman.

The play remains beautiful, one of the most beautiful of the 20th century. I have seen it "killed" only once in my theatregoing experience and that, fortunately, was not on this occasion.

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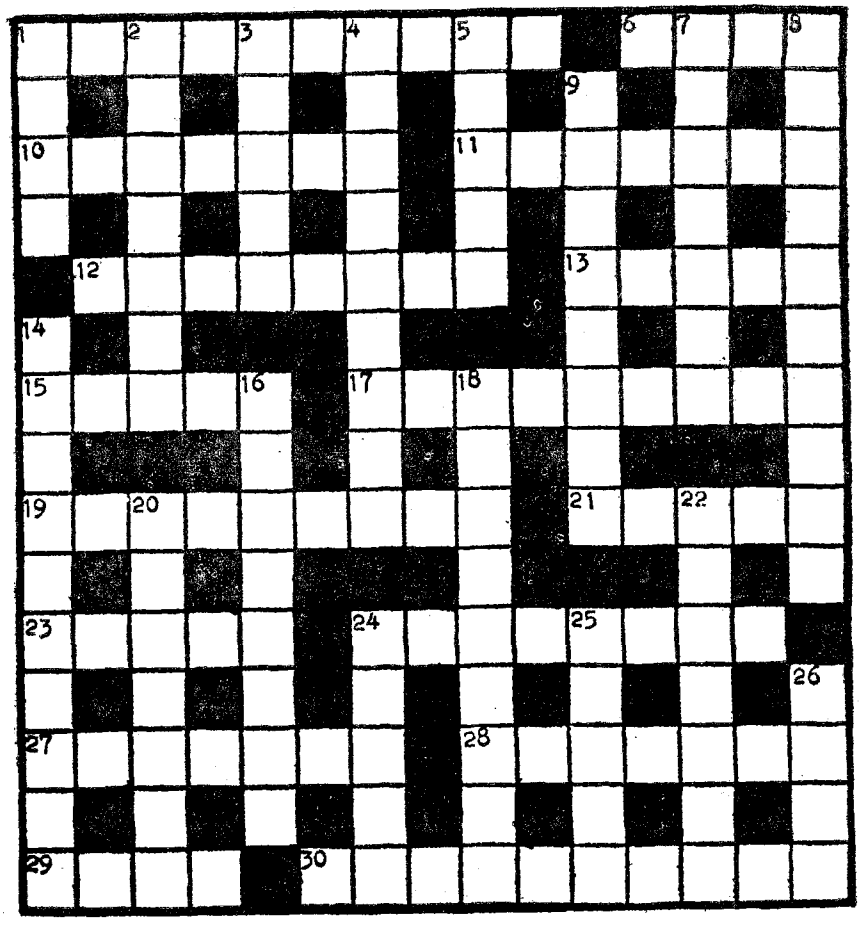

ACROSS

1 Trade expression for a central position in the old days. (2,8)
10 Get the total amount back, with a strong taste of the western stock. (7)
11 Knows almost by instinct how to fit into a tin suit. (7)
12 There might be a penalty connected with such a news item. (8)
13 Jack is one with high public esteem. (5)
15 and 24 down One might not settle for anything less than this under the hammer. (5,5)
17 Their place isn't fixed. (9)
19 Saw game, perhaps, each to be so ambidextrous. (3-6)
21 Apollo's vale, being almost a state of feelings. (5)
23 Relatively gemlike? (5)
24 A little rocking might be a way of treating the leather. (8)
27 How a religious man's opening statement might go from the general to the particular. (1,6)
28 Raises the ante on egg rolling motion, if sudden. (7)
29 and 5 down Simply leaving no ulcers for such a type? (4-5)
30 Pinch sores roughly, and you'll get a little adverse criticism perhaps! (10)

DOWN

1 Is the paper perhaps carrying certain doctrines? (4)
2 This utensil especially has it, and stores for the farm animals. (7)
3 and 9 The best one when it comes to using a brace properly, and impatient to do so (5,2,3,3)
4 If injured, make the grade give this. (9)
7 Having one, he leaves a bridge problem with it. (7)
8 Removes the locks? Makes one 15! (10)
14 A good judge should be so on a contingency basis. (4,2,4)
16 Probably a short voyage—move up! (8)
18 Quickly strike out with what makes the car go around those that move idly. (9)
20 If you go along with them are you a cattle driver? (7)
22 Does one rule "no return within the month"? (7)
25 .ight .mplification by .timulated .mission of .adiation. (5)
26 and 6 across Sturgeon eggs aren't exactly like some plots. (4-4)

SOLUTION TO PUZZLE NO. 1318

ACROSS: 1 Confederacy; 9 Mustache; 10 Gopher; 11 Perfidy; 14 Inches; 15 Old world; 17 and 25 down Marshall Plan; 20 Castor; 22 Miscast; 26 and 12 Racing stripes; 27 Lethargy; 28 Personality. DOWN: 2 and 13 Out of this world; 3 Facades; 4 Does; 5 Righted; 6 Capri; 7 Tureen; 8 Reseal; 16 Observant; 18 and 24 Animal spirits; 19 Assigns; 20 Capital; 21 Outage; 23 Crime.

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100,000 signed this Declaration during the JOHNSON Administration.
NIXON is allowing death and destruction to continue and to increase.
Pressure and action against the war are needed.

Individuals Against the Crime of Silence

A Declaration To Our Fellow Citizens Of The United States, To The Peoples Of The World, And To Future Generations:

1 We are appalled and angered by the conduct of our country in Vietnam.

2 In the name of liberty, we have unleashed the awesome arsenal of the greatest military power in the world upon a small agricultural nation, killing, burning and mutilating its people. In the name of peace, we are creating a desert. In the name of security, we are inviting world conflagration.

3 We, the signers of this declaration, believe this war to be immoral. We believe it to be illegal. We must oppose it.

4 At Nuremberg, after World War II, we tried, convicted and executed men for the crime of OBEYING their government, when that government demanded of them crimes against humanity. Millions more, who were not tried, were still guilty of THE CRIME OF SILENCE.

5 We have a commitment to the laws and principles we carefully forged in the AMERICAN CONSTITUTION, at the NUREMBERG TRIALS, and in the UNITED NATIONS CHARTER. And our own deep democratic traditions and our dedication to the ideal of human decency among men demand that we speak out.

We Therefore wish to declare our names to the office of the Secretary General of the United Nations, both as permanent witness to our opposition to the war in Vietnam and as a demonstration that the conscience of America is not dead.

On September 23, 1965, a Memorandum of Law was incorporated in the Congressional Record of the 89th Congress of the United States of America, in which leading American attorneys, after careful analysis of our position and actions in the Vietnam War, came to the conclusion that the U.S. is violating the following accords: The Charter of the United Nations, The Geneva Accords of 1954, the United States Constitution.

To Protest—To Object—To Dissent has long been an American tradition. The following are a few among the many who have signed this declaration to be on permanent record.

JAMES BALDWIN
(FATHER) J. E. BAMBERGER, M.D. OCSO
DANIEL BERRIGAN, S.J.
REV. PHILLIP BERRIGAN, S.S.J.
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ROBERT VAUGHN
DR. MAURICE N. WALSH
DR. HARVEY WHEELER
A. L. WIRIN, ESQ.

I wish to sign my name to the above Declaration to the United Nations and want to go on record with this Declaration of the Individuals Against the Crime of Silence.

signature

For clarity, also print your name after your signature

address date

city state zip

Sign, complete and mail to P.O. Box 69960, Los Angeles, Calif. 90069. The office of the Individuals Against the Crime of Silence will then forward the information to the United Nations.
Should you also wish to support additional publishings and communications, send $1 or more in cash or by check made payable to Individuals Against the Crime of Silence. . . . This donation entitles you to the lapel emblem, the wallet-size registration card and four personalized letter replicas of the Declaration for you to individually send on to the President and your U.S. senators and congressman. Money is needed to speed our progress.
The strength of our numbers will regularly and effectively be made known. Your signature does have power.

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